

# City of Alexandria

*301 King St., Room 2300  
Alexandria, VA 22314*



## **Docket - Final**

**Tuesday, March 25, 2014**

**7:00 PM**

**Council Chambers**

**City Council Legislative Meeting**

[14-2556](#) 6:00 P.M. - Work Session with DASH and the Annual Meeting of the Stockholders of the Alexandria Transit Company.

**Attachments:** [14-2556\\_DASH PP.pptx](#)

**1 Calling the Roll.**

**2 Moment of Silence and Pledge of Allegiance.**

**3 Reading and Acting Upon the Minutes of the Following Meetings of City Council:**

[14-2578](#) The Special Public Hearing Meeting Minutes of March 10, 2014; and The Regular Meeting Minutes of March 11, 2014.

**Attachments:** [14-2578\\_March 10 2014 minutes.rtf](#)

[14-2578\\_March 11 2014 minutes](#)

## **RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**

None.

## **PROCLAMATIONS**

None.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)**

## **CONSENT CALENDAR (4-7)**

### **(Resignations and Uncontested Appointments)**

**4** [14-2575](#) Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Citizen Corps Council  
Tara Hicks

(b) Commission for the Arts  
Cynthia Clauson

**Attachments:** [14-2575\\_resignations](#)

**5** [14-2574](#) Uncontested Appointments to Members of Boards, Commissions and Committees:

(a) Alexandria Marketing Committee  
2 Members with Experience or Expertise in the Following Areas:  
Marketing/Communications, Advertising Agency/Public Relations, Media Buyer, Graphic Design/Production and or Media Relations/Media Outlet

(b) Citizen Corps Council  
1 Citizen Member Designated by the Alexandria School Board

(c) Community Criminal Justice Board  
1 Representative of a Non-profit Organization Recommended by the Alexandria United Way

(d) Park and Recreation Commission  
2 Members from Planning District III  
1 Member from Among the High School Youth of the City

**Attachments:** [14-2574 uncontested appointments](#)

### **(Reports and Recommendations of the City Manager)**

- 6      [14-2489](#)      Consideration and Approval of the License Agreement Between the City of Alexandria and the Potomac Riverboat Company, LLC to Provide Water Taxi Service from the City Marina.  
**Attachments:**    [14-2489 PRC Water Taxi Service License Agreement](#)
- 7      [14-2497](#)      Consideration of a Grant Application to the Virginia Department of Health for the United States Department of Agriculture (USDA) Summer Food Service Program for Children.

### **END OF CONSENT CALENDAR**

### **CONTESTED APPOINTMENTS**

- 8      [14-2576](#)      Alexandria Gang Prevention Community Task Force  
1 Citizen Member  
**Attachments:**    [14-2576 Gang Task Force](#)
- 9      [14-2577](#)      Budget and Fiscal Affairs Advisory Committee  
1 Citizen Member  
**Attachments:**    [14-2577 BFAAC.docx](#)

### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION**

**None.**

**REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES****ORAL REPORTS BY MEMBERS OF CITY COUNCIL****ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL****ORAL REPORT FROM THE CITY MANAGER****ORDINANCES AND RESOLUTIONS**

None.

**OTHER**

10      [14-2555](#)      Consideration of City Council Schedule.

**Attachments:**    [14-2555 Council Calendar March 2014 to June2014.docx](#)

11      [14-2570](#)      Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

**Attachments:**    [14-2570\\_exec session motion.doc](#)

*The Cablecast schedule of Government meetings on Channel 70 can be found here:  
<http://apps.alexandriava.gov/Calendar/AltDisplay/VideoList.aspx>*

*This docket is subject to change.*

\* \* \* \* \*

*Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council. Meeting materials are also available on-line at [alexandriava.gov/council](http://alexandriava.gov/council).*

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*Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 703-746-4550 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.*

*City Council meetings are closed-captioned for the hearing impaired.*

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**PUBLIC NOTICE:**

**Budget Meetings:**

*Budget Work Session, March 26, 2014, 6:30 p.m., 2900 Business Center Drive*

*Budget Work Session, April 2, 2014, 6:30 p.m., Sister Cities Conference Room*  
*Budget Work Session, April 10, 2014, 6:30 p.m., Sister Cities Conference Room*  
*Preliminary Add/Delete, April 21, 2014, 6:30 p.m., Sister Cities Conference Room*  
*Budget Work Session, April 24, 2014, 6:30 p.m., Sister Cities Conference Room*  
*Final Add/Delete, April 28, 6:30 p.m., Sister Cities Conference Room*  
*Budget Adoption, May 1, 7:00 p.m., Council Chambers*



Legislation Details (With Text)

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<b>File #:</b>	14-2556	<b>Name:</b>	Work Session with DASH
<b>Type:</b>		<b>Status:</b>	Agenda Ready
<b>File created:</b>	3/14/2014	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	3/25/2014	<b>Final action:</b>	
<b>Title:</b>	6:00 P.M. - Work Session with DASH and the Annual Meeting of the Stockholders of the Alexandria Transit Company.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-2556_DASH PP.pdf</a>		

Date	Ver.	Action By	Action	Result
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6:00 P.M. - Work Session with DASH and the Annual Meeting of the Stockholders of the Alexandria Transit Company.

# ATC Stockholders DASH Transit Briefing



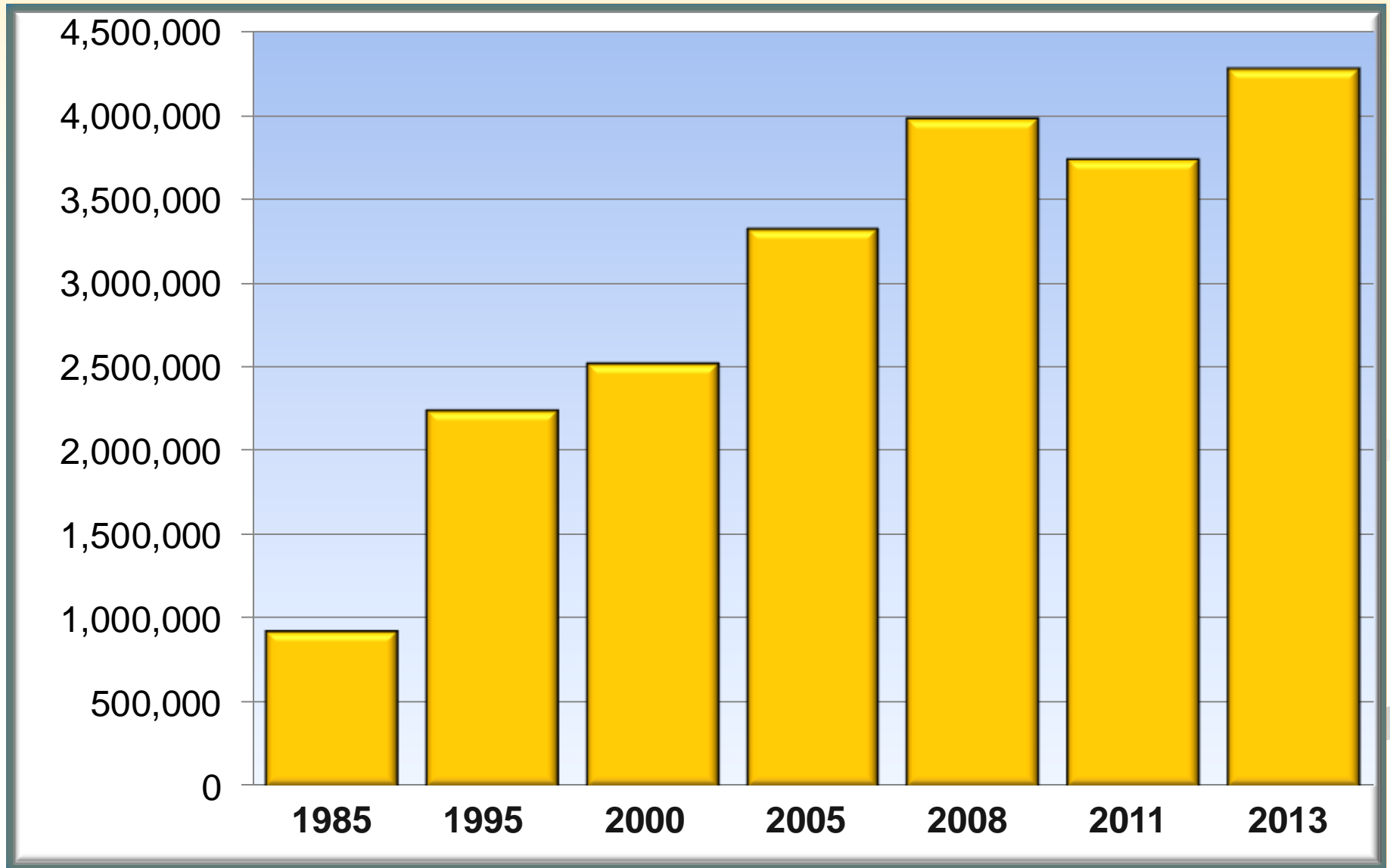
Alexandria Transit Company  
March 25, 2014

# DASH Key Operating Statistics

	<b>1985</b>	<b>2000</b>	<b>2013</b>
<b>Ridership</b>	923,405	2,521,925	4,277,066
<b>Buses</b>	17	47	79
<b>Miles Operated</b>	522,705	1,194,507	1,493,146
<b>Passengers/mile</b>	1.8	2.3	2.9
<b>Passengers/hour</b>	24.6	30.3	32.8



# DASH Annual Ridership



# Current Challenges

- Constrained operating and capital budgets in recent years
- Transit subsidy reductions have affected schedule of planned service expansion and improvements
- Service frequencies need to improve to attract more riders
- Increasing traffic congestion have impacted schedules and service reliability
- Attracting qualified employees
- Volatility of fuel costs

# Current Challenges

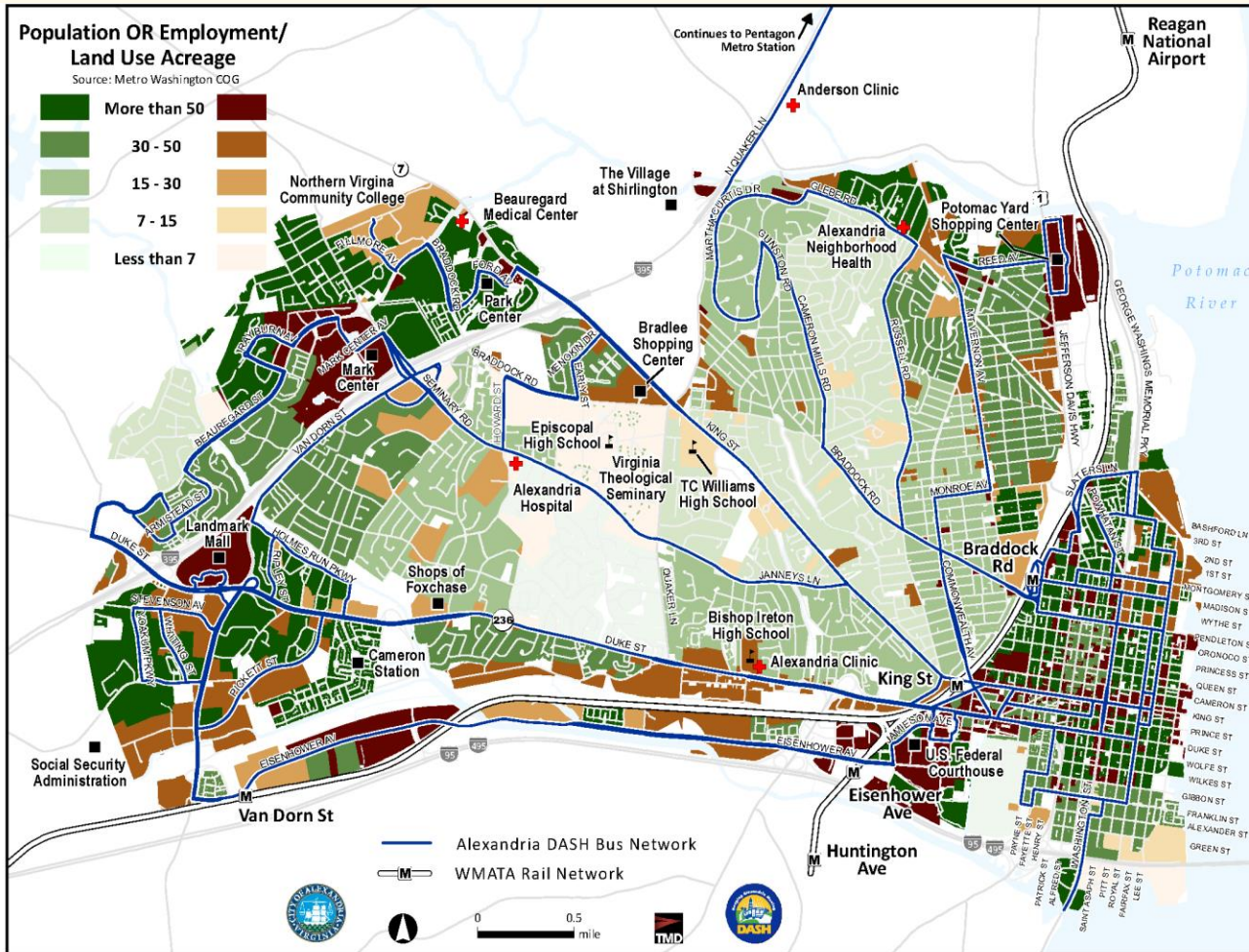
- Overcrowding at Metrorail Stations and other transit hubs during peak travel times has affected schedule adherence
- Overcrowding on the King Street Trolley during peak season (April through December), has resulted in frequent pass-ups at bus stops and customer frustration



# DASH COA Market Analysis Findings

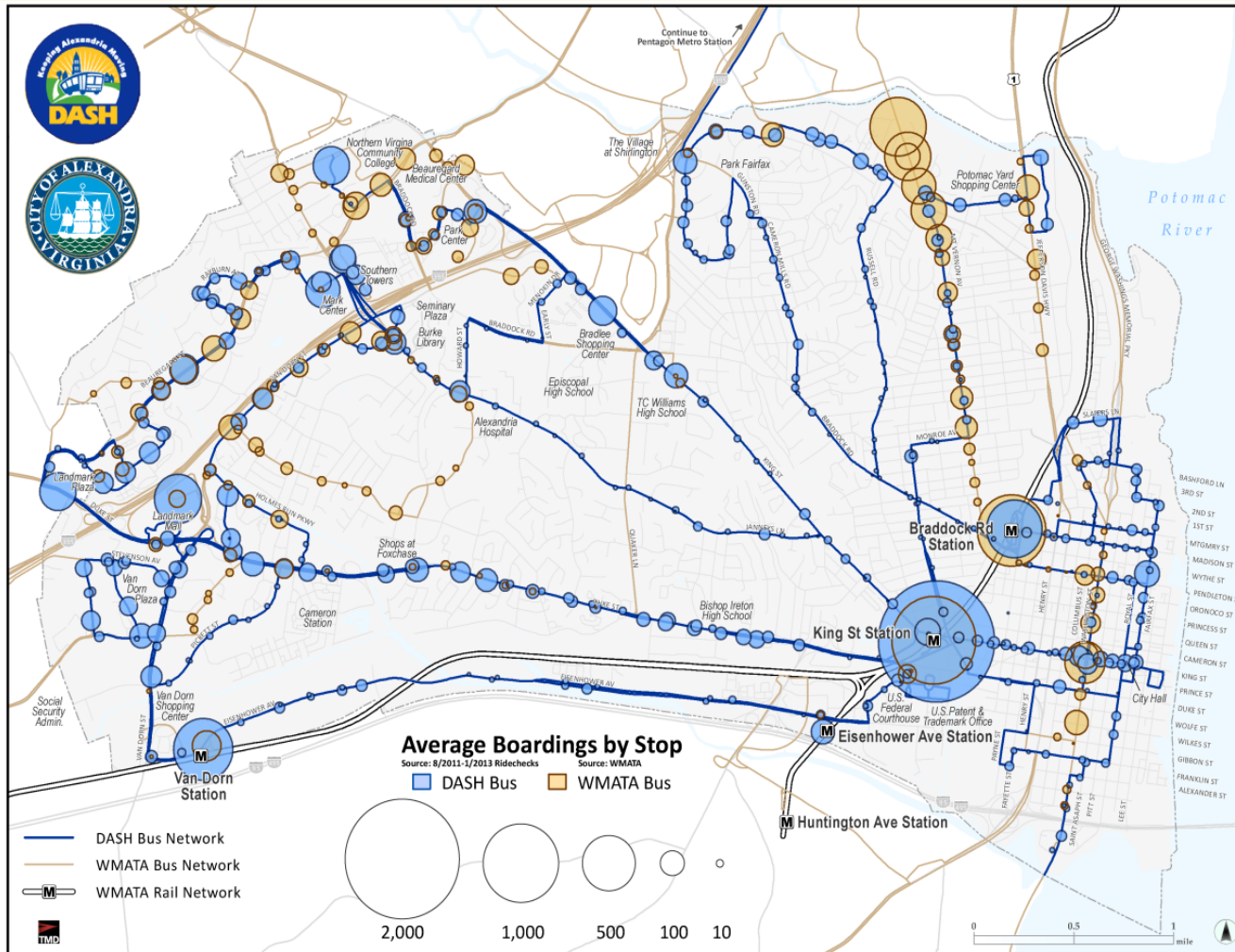
- 90% of telephone survey respondents indicated that DASH was important in “helping people get to work”
- 70-90% of all on-board survey respondents gave DASH good or excellent ratings on nearly all service attributes
- 69% rated the schedule good or excellent
- Vast majority, almost 80% of respondents, strongly agreed that it is very important for the City to support and fund DASH bus service

# Population and Employment



- Existing (2013)
  - High population and employment densities are located in Old Town, West Alexandria/Beauregard, and in Landmark/Van Dorn neighborhood
- Future (2035)
  - Population is expected to grow by 30%.
  - Employment is expected to grow by 41%

# Ridership



- DASH ridership is the strongest in the Duke Street and Beauregard Street corridors
- Metrorail stations generate high boardings and are key transfer points for DASH users

# COA Next Steps

- Study is currently in final stages of completion
- Consultant is finalizing recommendations
- ATC Board of Directors will receive final report in April
- City Council and Transportation Commission will receive report as an information item
- ATC Board will hold public hearing in May to approve ATC's annual Transit Development Program (TDP) and FY15 Budget, which will include its Long Range Plan

# FY 2014 Accomplishments

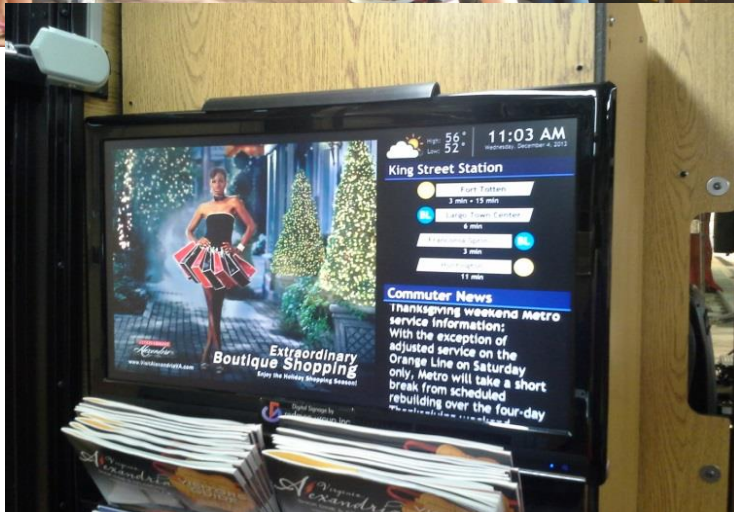
- **Service Expansions and Improvements**
  - Funded by the City's Transportation Improvement Program (TIP)
  - Implemented service frequency improvements to peak period AT6 and AT8 routes to meet Urban Transit Standards of at least every 15 minutes
  - Have resulted in significant ridership increases of 10% on the AT6 and 15% on the AT8
  - Electronic DASH Pass now has over 35% of all DASH Passes sold on SmarTrip



# King Street Trolley



- Improved service quality and reliability with DASH operation
- Ridership increase of over 50% since DASH assumed service
- Overcrowding issues during peak season
- Currently partnering with ACVA to pilot innovative digital display advertising program
- Program is only open to ACVA members
- All five trolleys will have displays operational by April 2014
- Display also provides real time transit information, community information, and the weather



# New Buses

## ■ **Low Floor Hybrid Buses**

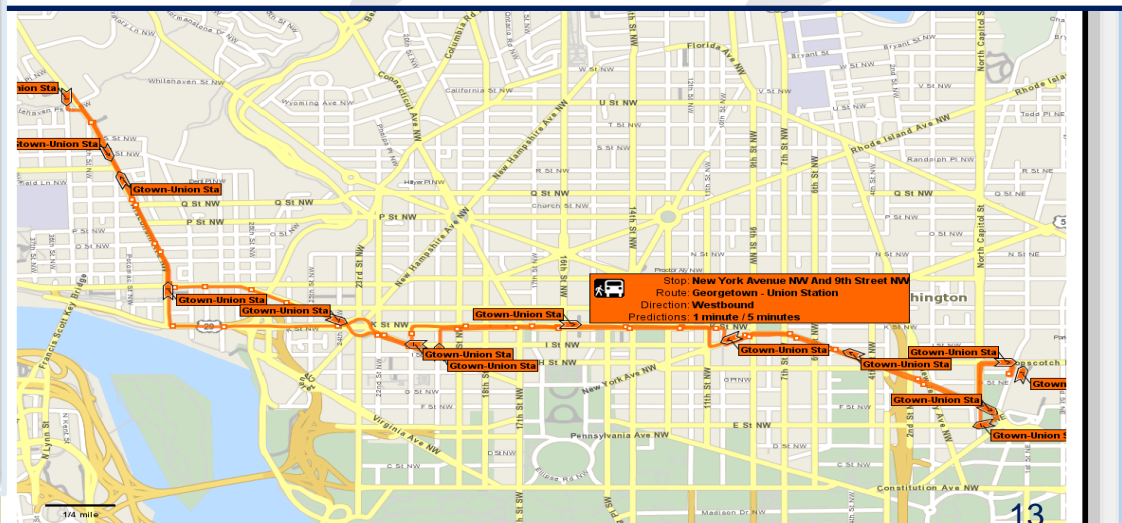
- Over 30% of DASH fleet is now hybrid, low-floor buses
- Improved boarding, access, and reduced emissions
- ATC has received positive comments about how quiet they are driving through the neighborhoods

## ■ **Automated Voice Annunciators**

- 10 of DASH's newest buses and 5 trolleys are equipped with automated stop annunciators
- Improves service to persons with disabilities
- All future bus orders to be equipped with automated stop annunciators

# Current Technology Projects

- Real-time Bus Information / Automatic Vehicle Location (AVL)
  - Final steps for funding approval by VDOT
  - ATC exploring integration of system to WMATA's future New Electronic Payments Program (NEPP) system, City's Signal Priority Project, and operational improvements, such as, Computer Aided Dispatch, Automated Garage Mapping, and other improvements
  - Procurement, installation, testing, and implementing later this year



# FY15 Improvements and Expansion

- Launch of new AT9 Crosstown route
  - Will be initiated in June-July 2014
  - First DASH route to serve Shirlington Transit Center
  - Already have positive feedback from Parkfairfax residents and attendees of the COA public meetings
- Procurement of 15 buses to replace aging buses that are past their useful life and 6 expansion buses for future improvements

# Future Transit Improvements

- Improve service frequencies on current routes
- Opportunities for new Circulator routes
- Begin integration of DASH service with BRT and transitways
- Continue to implement industry technology advances
- Improve bus bay and layover capacity at Metro stations and other terminal points
- Connect DASH system to new Potomac Yard Metro Station
- Evaluation of Metrobus route replacement to provide City transit subsidy savings

# Update on City-ATC MOU Implementation

- Expansion of ATC Board to include additional transportation and financial expertise and City government representation
- Increase in the Board's role to broader transit policy
- Review of First Transit Management Services Agreement and reporting structure of the General Manager

# ATC Board Expansion

- Expanded from seven members to nine members and includes two additional City staff positions
- New T&ES representative
- New City Finance representative
- City Manager or designee
- Transportation Commission representative
- Resident with transportation expertise
- Resident with financial expertise
- Three additional residents/riders
- ATC and City staff develop monthly Board agendas during monthly coordination meetings

# Broaden the Role of the ATC Board

- Board continues to provide overall policy direction for the system and approve routes and set fare structure
- BRT/Transitway operational policy review
- Fare and route policy review on other transit serving Alexandria, including Metro and DOT
- Implementation policy considerations associated with transit infrastructure throughout the City



# Organizational Structure Changes

- First Transit agreement continues to provide for management and operational services to ATC and provides the Assistant General Manager, technical assistant, and use of corporate purchasing agreements
- General Manager is now an employee of ATC
- Board committee will develop performance measures and evaluations

# Thank You!





## Legislation Details (With Text)

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**File #:** 14-2578 **Name:** minutes  
**Type:** Minutes **Status:** Agenda Ready  
**File created:** 3/19/2014 **In control:** City Council Legislative Meeting  
**On agenda:** 3/25/2014 **Final action:**  
**Title:** The Special Public Hearing Meeting Minutes of March 10, 2014; and  
The Regular Meeting Minutes of March 11, 2014.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-2578 March 10 2014 minutes.pdf](#)  
[14-2578 March 11 2014 minutes](#)

Date	Ver.	Action By	Action	Result
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The Special Public Hearing Meeting Minutes of March 10, 2014; and  
The Regular Meeting Minutes of March 11, 2014.

**City of Alexandria  
Meeting Minutes  
Special Public Hearing Meeting  
Monday, March 10, 2014  
4:00 P.M.  
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Ms. Smith, Director, Office of Management and Budget; Mr. Routt, Office of Management and Budget; Mr. Beaver, Office of Management and Budget; Ms. Arbour, Office of Management and Budget; Mr. Jenkins, Office of Management and Budget; Mr. Braden, Office of Management and Budget; Police Captain Wemple; Mr. Baier, Director, Transportation and Environmental Services; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

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**OPENING**

**1. Calling the Roll.**

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All members of Council were present.

**2** Public Hearing on the City Manager’s Proposed Annual Operating Budget for FY 2015 (Including Schools) and the Proposed Capital Improvement Program (CIP) for FY 2015-2024 (Including the School CIP.) Adoption is Scheduled for Thursday, May 1, 2014. A Public Hearing on the Ordinance Establishing the Real Property Tax Rate Will Be Held on Saturday, April 12, 2014, at 9:30 a.m.

The following persons participated in the public hearing on this item:

1. Kathleen Schloeder, 2501 St. John Place, chair, Alexandria Library Board, thanked Council for the extra cleaning days at Beatley Library and the funds to fix the leaks at Beatley. Ms. Schloeder requested restoration of the cuts to the book budget and spoke about the many research data bases the library subscribes to, which is invaluable to the small businesses. She said on the Burke Library, the City will have possession of the whole building when the public schools move out of the ground floor and they suggest that the school system return the ground floor to them in the same condition in which they gave it to them.

2. Helen Desfosses, 400 Madison Street, Apt. 1201, member of the Alexandria Library Board, said they need the space from the Burke Library and they need money to put it in a style that the people in that area can make maximum use of it. She noted the \$30,000 cut in the books and materials budget. She spoke to the customer satisfaction survey and focus groups, and one of the focus groups talked about the importance of entrepreneurship to growing a city's economy and the importance of libraries to today's entrepreneurs.

3. Bob Eiffert, 1418 Juliana Place, on behalf of the Commission on Aging, asked for continued support of older adults in Alexandria. He spoke to the proposed cut of \$1.3 million to tax relief for the elderly and persons with disabilities and said the 40 percent cut to the program will create a certain hardship for those affected. He said they would like to see a budget memorandum that shows how the Office of Finance determines the separate impacts of the asset reduction limit and the cap on the value of the residents, how many households would be affected by the asset limit reduction and how many affected by the new cap on the value of the home.

4. Jane King, 118 E. Randolph Avenue, chair, Commission on Aging, spoke to the cuts to senior taxi, which is limited to those with incomes at \$48,150 and below, and 85 percent of the rides are for medical visits. She said the assumption in the budget is that the riders can be accommodated by two other City programs – the Department of Transportation's para-transit service and the Division on Aging's buses, and that is wrong. Ms. King spoke to guardianship legal fees for incapacitated seniors, and she said the clients represents the City's most vulnerable adults and without guardian, City staff is powerless to provide the protection they need. She said the Commission supports keeping the current 2015 budgeted amount and adding an additional \$36,000. Ms. King said they are concerned with senior employment services and the termination of JobLink support for older job seekers.

5. Sean Casey, 119 S. Iris Street, president, Alexandria Committee of Police, Local 5, said they appreciate that merit raises and career ladders are funded in the budget, and it is welcome news that there are no recommended employee contribution increases to the health care plans. He said they are concerned that there is nothing in the budget to address the fact that Alexandria has the lowest starting salary for police officers and they asked for funding for that. Mr. Casey said they are concerned about the recommendation to no longer fund the retirement life insurance benefit and asked that Council find a way to fund it.

6. Christopher Barr, 520 King Street, Clerk of the Court for the Alexandria Juvenile and Domestic Relations District Court, asked for support and funding of supplements to help improve the competitiveness and work to resolve retention and turnover concerns, noting that they need to be competitive with the Arlington County Districts Court, which has provided a 15 percent supplement to their employees since 2011, and with the other neighbors courts and law firms. Mr. Barr asked that the funding of the staffing supplement removed from the budget be returned.

7. Dominika Bui, 520 King Street, Juvenile and Domestic Relations Court, spoke to the customer service of the court, and she noted that it is critical that they provide accurate and timely responses in a professional manner, along with providing legal services to numerous City departments. She said the Juvenile Court wishes to ensure that all members are treated justly and protected under the law. She asked Council to return funding to the budget for the salary supplements.

8. Renata Narciso, 520 King Street, Juvenile and Domestic Relations Court, spoke of the timely and challenging work of the Juvenile and Domestic Court and asked Council to support the return of the funding to the budget so staff can be fairly compensated.

9. Katie Turner, 6604 Potomac Avenue, Juvenile and Domestic Relations Court, noted that the Courts in Arlington provide a 15 percent salary supplement to its staff and have done so since 2011. She said they have more cases and do it more efficiently than Arlington, however, they do not have a supplement from the City of Alexandria. She asked Council to allow the return of the funding that was removed from the budget.

10. Ellen Dague, 520 King Street, attorney, guardian ad-litem, Attorney, a parent's defense attorney for child welfare cases, and a court appointed defense counsel, spoke on behalf of the Juvenile and Domestic Relations Court, spoke about child and family safety and welfare is a shared responsibility and they are the stewards of family and child safety.

11. Matthew Greene, 3477 Chain Bridge Road, Suite 1, Fairfax, attorney and guardian ad-litem and a court appointed defense counsel, spoke on behalf of the Juvenile and Domestic Relations Court and noted their professionalism and said they must be fairly compensated. He said he supports the funding supplement for the Clerk's Office.

12. Judge Uley Damiani, 520 King Street, Juvenile and Domestic Relations Court, said the Juvenile and Domestic Relations Court has never hired a clerk with prior court clerk experience and said it is a job that is a spring board for other better paying jobs. Judge Damiani spoke of her reliance on the clerks and she asked Council to approve the salary supplement for the clerks.

13. Judge Donald Haddock, 520 King Street, Alexandria General District Court, said they have two judges with a staff of 13 clerks and they handle almost 40,000 cases a year. He said that every time they lose a clerk to a higher paying job, the lines at the window get longer. He said that Arlington supplements General District Court and the Juvenile and Domestic Relations Court.

14. Judge Constance Frogale, 520 King Street, Chief Judge, Juvenile and Domestic Relations Court, asked Council to put the salary supplement funding back for the Clerk's Office and spoke of the need for good clerks in the Courts.

15. Amy Flenninken, 4956 Frishman Court, speaking on behalf of 1,000 Alexandria retirees, spoke in objection to the proposal that eliminates City funding for retirees life insurance, as paid life insurance was a long-standing benefit offered to full-time workers and she was promised the benefit in writing from the first day she began working in 1987, and to eliminate the funding violates a commitment that was made by the City.

16. Carol Jackson, 800 S. Washington Street, executive director, Alexandria Housing Development Corporation, speaking as a member of the collaborative group of non-profits that provide housing and human services within the City, spoke in support of the City's housing budget and in support of adding back \$111,000 to the Alexandria fund for human services and adding funds to the homeless intervention program so that it meets 12 months worth of needs for those in crisis.

17. Ken Howard, 3817 Blowing Leaf Place, Dumfries, retired Police Captain, president, Alexandria Retired Police, Fire and Sheriffs Association and a current board member of the Police Foundation, spoke of the elimination of the funding for the retirees life insurance and spoke of what the association gives back to the City.

18. Lillian Brooks, 7820 Valleyfield Drive, member of the Alexandria Juvenile Detention Commission, spoke of the issue of a disregard of a 20-year regional agreement between the City, Arlington and Falls Church to have a utilization formula to pay the local share of the cost for operating the juvenile detention home and she spoke of the utilization rates.

19. Dorothea Peters, 4513 Peacock Avenue, member, Alexandria Juvenile Detention Commission, said this year is the first year in 20 years that Alexandria broke the agreement and cut the funding that has been asked for, and she said the two other jurisdictions were approving the funds this year that they asked for. If the funds do not get reinstated, the Alexandria Juvenile Court Judges will not have the options of where they place the kids. She asked for reinstatement of the funds for the Juvenile Detention Center. Ms. Peters also spoke of Shelter Care.

20. Melissa Harrington, 417 Monticello Blvd., spoke of the needs of ACPS for an additional \$2.4 million in order to maintain the same appropriation per student. The \$7.4 million increase ACPS is requesting is a 4 percent increase over what ACPS received in 2014 and is needed to keep up with the growth in the schools.

21. Sean McGowan, 4762 Wellesley Drive, Woodbridge, executive director, Virginia Police Benevolent Association, speaking on behalf of the Alexandria chapter, spoke to the issue of retirement insurance and said it is reasonable that the employees should expect the full retirement package offered to them when they signed on. He said that speaking as a retiree, his family alone has dedicated 141 years of service to the City of Alexandria and he asked that Council honor the promises and keep the retirement package, including the insurance benefit, intact.

22. Janet Barnett, 1101 N. Howard Street, said she is a retired City employee, and she asked Council to keep its promise to the retirees on the life insurance premiums. She asked Council to fund the cost of insurance for the retirees.

23. Gwendolyn Lewis, 4950 Brenman Park Drive, #110, executive director, Concerned Citizens Network of Alexandria, asked Council to reinstate the CCNA \$20,000 line item in the budget. She said they are the only comprehensive middle school program who tutor and mentor the students, help them with homework and coach the parents, all on the Hammond Middle School campus.

24. Gwen Day Fuller, 4017 Ft. Worth Avenue, with the Concerned Citizens Network of Alexandria, said CCNA piloted and created the flagship program during the 2010-2011 school year and is the most unique, comprehensive, instructional middle school intervention program offered after school and she spoke of the success of the students. She said it is unacceptable to cut services.

25. N. Cyrus Jones, a student in the CCNA program, said he attended the Rare program put on by CCNA.

26. Keyatta Summer Hallums, 4771 W. Braddock Road, said she attends the Rare Program and would like Council to not cut the funding because it helped her bring her math grade up from a 56 to a 97.

27. Debra Mills, 8604 Braeburn Drive, Annandale, said she works with the students in the Rare program on a daily basis and she spoke of the students who chose to get help after school and are eager to learn but are having challenges. She asked Council to keep the item in the budget.

28. Pam Michell, 8407 Richmond Highway, executive director, New Hope Housing, which run the Alexandria community shelter, spoke as chair of the governing board to prevent and end homelessness in the City, and she thanked the City Manager for including \$200,000 in additional funds for the elderly rent relief program. She said the homeless intervention program is out of money, and they ask for an additional \$100,000 to be put in the budget so the program can run on a 12 month basis rather than an eight month basis, and that Council reinstate the funding for the Alexandria Human Services Fund to last year's levels. Ms. Michell requested that Council consider additional local rent subsidy, and they urge Council to continue using the location the CSB is operating out of for the same kinds of purposes.

29. Lissette Bishins, 930 N. Henry Street, executive director, Carpenter's Shelter, co-chair of the Partnership to Prevent and End Homelessness, spoke of a family who had been evicted from their home, stayed six months, got training and now live in Prince William County and drive to the City of Alexandria where they both work. She urged Council to take a look at the pivotal pieces and keep the people that work for the City that give diversity to the City here.

30. David Chamowitz, 118 N. Alfred Street, said he is a member of the Law Library Board and is a small business owner in the City. He spoke to the 100 percent elimination of the City's funding of the Alexandria Law Library and he urged against it and noted who uses the law library.

31. John Mark Bergin, 6049 N. Morgan Street, Lt., Alexandria Police Department, said that next week he retires after 28 years on the job, noting that he survived two heart attacks and double bypass surgery and his doctor says he can't return to duty. Mr. Bergin spoke to the cutting of the life insurance benefits for retirees and that was promised to him. Mr. Bergin said the employees deserve what was promised.

32. Jennifer Hoying, 5055 Seminary Road, #1501, said she volunteers at the Nannie J. Lee Rec Center, said there is talk of displacing the children for other children, a program that costs more than the current program and their kids will have to move to Charles Houston, which is full. Ms. Hoying said it doesn't make sense because of budget cut-backs to move a less expensive program out in favor of a more expensive program. She also asked for support for the Alexandria fund for human services.

33. Annabelle Fisher, 5001 Seminary Road, said cutting Recreation hours and ensuring employees pay for their own insurance is okay. She asked Council to scrutinize the loan given by the City to AHDC in 2011 for \$14 million, and she asked if they have paid back any of the money, and if Wesley Housing requests any more money, the answer should be no. She said the \$60,000 for civic engagement should be eliminated. She asked what the Division



on Aging does and perhaps it's time to cut staff and putting senior taxi under them. She spoke of moving the Office on Women to the Department of Community and Human Services and she asked about advertising that position. She said the City Manager should look at all department administrators and assistant administrator jobs in order to get a clearly defined job description for the positions.

34. Tanya Banks, 1104 Clovis Avenue, Capital Heights, Maryland, said she has worked for the Department of Recreation for 34 years, and she spoke about cutting Recreation leaders who are 12 hour employees. Ms. Banks said the leaders are there to make sure the kids have a safe environment to come to and she explained the activities and service they provide to the kids.

35. Sonia Quinonez, 1705 Fern Street, executive director, SCAN of Northern Virginia, said the line to cut the contracts with non-profit organizations shows no impact, but the reality is there is a huge impact on cutting the grant funds. She noted that surrounding jurisdictions fund parenting classes and support groups through their department of social services, but the City doesn't do that, as it partners with SCAN to do that. She spoke of the programs SCAN operates. Ms. Quinonez urged Council to keep the funding for the Alexandria Fund for Human Services at the flat FY2014 level.

36. Meredith McKeen, 10455 White Granite Drive, Oakton, with Northern Virginia Family Service, said NVFS partners with the City and other organizations to provide direct services to many vulnerable residents of Alexandria. She spoke on the Healthy Families Program, noting who would be affected by the proposed 5.5 percent reduction in the Fund for Human Services. She said they are looking at reductions from multiple organizations and that will result in fewer families being served by Healthy Families of Alexandria.

37. Melissa Feld, 10455 White Granite Drive, Oakton, with Northern Virginia Family Service, spoke to the need for continued support for Healthy Families Alexandria, and she spoke of the model for Healthy Families, which has helped improve child health and development by promoting positive parenting and helping prevent the cycle of child abuse and neglect. She said the cost benefit of providing their preventative services saves the City and taxpayers substantial amounts in intervention.

38. Mari Lou Livingood, 2 Duke Street, asked for support and continued funding of the partners fund for the schools, noting that the Alexandria Seaport Foundation provides a program called middle school math that is very important to the success of underserved at-risk kids who are failing math. The Seaport Foundation provides the valuable hands-on learning the teachers need in the classroom, as well as the students with one-on-one learning. She asked Council to include the partners fund in the budget for the schools.

39. Michael Conner, 203 Yoakum Parkway, #1726, retired deputy fire chief and chief fire marshal, representing the retired Alexandria Police, Sheriff and Firefighters Association, spoke to the elimination of the funding for the retirees life insurance. He noted his health problems, some of which came from working for the City. He asked Council to not cut the funding.

40. Rebecca Gruenberger, 18 W. Rosemont Avenue, volunteer with the Friends of the Alexandria Mental Health Center, spoke to the limited funding for prevention services for

mental and substance abuse disorders. Ms. Gruenberger explained why the City should invest in prevention, noting how it affects children, families and the community.

41. Adrienne Fikes, 803 N. Howard Street, #460, executive director, Parent Leadership Training Institute, and a member of the Alexandria Council of Human Service organizations, asked Council to restore the Alexandria Fund for Human Services for FY2015 to the FY2014 level, increasing the budget by \$100,000. She spoke of the PLTI program.

42. Susan Drachsler, 3313 Carolina Place, board member, Friends of the Alexandria Mental Health Center, spoke to the staff reduction in the office of Communications at the Department of Community and Human Services, noting that the staff play a vital role in ensuring that Alexandrian's thrive and are in good health, noting all the information they provide to the residents.

43. Melynda Wilcox, 403 Jackson Place, president, Alexandria PTA Council, spoke in support of increased funding for the public schools, noting that they anticipated an enrollment increase of 500 students or more for the coming school year. She said they are heartened to see the City Manager increased ACPS funding by \$5 million, but that \$5 million will cover only two-thirds of what they need for next year. She asked Council to remain flexible on the tax rate cap so they leave open the option for funding ACPS at the level necessary to maintain current per pupil spending.

(Mayor Euille left the meeting at this time – 6:37 p.m.)

44. Michael Zupan, 112 S. Alfred Street, president, Alexandria Law Library, spoke to the elimination of the law librarian, noting that it will result in the closure of the law library. He asked Council to reconsider it, as the law library provides a critical service to the citizens. Mr. Zupan asked that Council reinstate the position in order to allow citizens to get access.

45. Suzanne Laboy, 608 N. Pickett Street, said she is Officer Peter Laboy's wife, and that while serving the City, her husband suffered a gunshot to the head, causing a traumatic brain injury, which is something they live with every day and the City has shown great support in their time of need. She said they will continue to need everything that was promised to him and others when they committed to protect and serve the citizens of the City. She asked Council to reconsider making changes to any benefit they count on.

46. Bill Rivers, 15 W. Mount Ida Avenue, representing the Advocates for Alexandria Aquatics, spoke of the need for the aquatic dollars in the CIP. He said the only exception they have to the budget is the closing of Warwick pool this summer, noting that it is the one swimming opportunity for residents of many areas of the City that they can readily walk and get to.

47. Carolyn Griglione, 1416 N. Ivanhoe Street, said she is also a member of Advocates for Alexandria Aquatics and she supported what Mr. Rivers has said. She thanked Council for support of the 2015-2017 items for the Old Town pool and the necessary repairs. She supports the keeping of Warwick pool open this summer. She said she is thrilled to know that 44 miles per year of road resurfacing is in the upcoming budget.

48. Laura Vetter, 204 S. Saint Asaph Street, vice chair, Public Records Advisory Commission, spoke in support of the CIP request for \$680,000 to expand the City's public

records and archives facility to meet the archives and storage needs and maintenance needs for the next 15 years.

49. Paul Story, 4602 Picot Road, spoke to the elimination of the funding for retiree benefits. Mr. Story said he served as a police officer for 33 years and his wife Sue served for 35 years. He said they are proud of their service to the City and it was never just a job to them.

50. Rev. Mike Crabill, 809 Vassar Road, said he is a retired City Police Department employee, and he said police officers have one of the highest suicide rates imaginable, and he said more police officers were killed in the last three years by their own weapon than by the bad guys. He said the life insurance for spouses of City employees goes toward paying the bills.

51. Anthony Barone, 4 W. Chapman Street, shared his concern with the budget on the proposed adjustments to the City's services for the fire department. He spoke to the elimination of fire personnel, noting that the positions make up a core foundation of the community – safety, noting that it is how they become a healthier, better, more resilient Alexandria.

52. Tom Williamson, 205 Tennessee Avenue, president, Warwick Village Citizens' Association, spoke about the \$92,000 that was cut from Warwick pool operations and said the Citizens Association is committing to helping the City, noting that last year they helped clean the pool and equipment. He said he had concerns that the kids would not be able to get to other City pools.

53. Patricia Gaston, 39 Kennedy Street, chair, Alexandria Marketing Fund Committee, spoke to the marketing fund, which provides seed money in the form of matching funds for new and innovative marketing programs, and she said their budget has been proposed to be reduced from \$135,000 in 2014 to \$50,000 in 2015. She encouraged Council to reconsider the drastic cut in their funding, as it will negatively impact the City's thriving businesses and she shared the success stories and the impact of the fund.

54. Sean Schmergel, 601 King Street, Suite 400, spoke to the impact of the budget cut on the City's public law library and the elimination of the law librarian. He said if the budget cut were adopted, it would force the closure of the public law library to the public. He asked Council to reconsider its position and provide at least a modicum of funding for the law library.

55. Marie Randall, 2904 Cameron Mills Road, president, George Mason Elementary School PTA, advocated for the Alexandria schools and asked Council to fully fund the ACPS budget. She said the City has decreased its per pupil general allocation of funds by \$1,600 per pupil, which is 10 percent, since 2008, and if compared to other jurisdictions, they have the lowest percentage of general fund revenue being provided to the schools. Ms. Randall asked Council to prioritize their schools as one of its greatest resources and fund appropriately.

56. Richard Krimmer, 900 Second Street, spoke to the cut from the fire department of the three fire marshals, the two deputy emergency management and ten firefighters. Mr. Krimmer said the fire marshals provide a service of fire prevention and investigation but also tend to do work on the weekends and holidays of other City agencies and he spoke to the number of inspections they have done. He asked that those positions get re-funded in the budget.

57. Masharia Holman, 720 N. St. Asaph Street, chair, Alexandria Community Services Board, expressed gratitude to Council and the City Manager for its continued support in the CSB programs. She spoke to the residents, including youths, that receive services. She asked Council to continue to consider the unmet needs in behavioral health.

58. Poul Hertel, 1217 Michigan Court, spoke to the elderly tax relief program, noting that the key feature is tax burden, and he urged that the \$500,000 assessed value limit cap be taken out of the budget.

59. John Lennon, 244 Murtha Street, spoke for the Hammond PTA in support of funding for the ACPS Schools in the full amount proposed by the Schools. He said they request a joint review with ACPC of plans and procedures on long-term economic, community and housing development.

60. Chris Wright, 270 Gretna Green Court, director on the Law Library Board and on the Board of the Alexandria BAR Association, asked Council to reexamine the City Manager's budget as it impacts the law library and he asked for restoration of the funds to previous year's levels.

61. Katy Cannady, 20 E. Oak Street, said the budget favors certain groups and not others, and the old folks are among the disfavored. Ms. Cannady said senior taxi is a godsend for many elderly who cannot wait for a bus or walk to the bus stop. She spoke to the elimination of the property tax exemption for those over 65 with an income of between \$40,000 and \$60,000 if they own a home assessed at \$500,000 or more. She said many people in the program today would be forced into selling and moving elsewhere.

62. Abby Spangler, 319 Prince Street, spoke to the saving of engine 204, saying that the lives of citizens are at risk if it is eliminated. She spoke to the response time of engines, noting that when it eliminates 204, it will hurt the firefighter's abilities to manage crisis and save lives.

63. Alexis Stackhouse, 1104 W. Braddock Road, said she is an attorney and was appointed by Council as a member of the law library board, and she knows a good law library when she sees one, and she explained who uses the law library. Ms. Stackhouse also asked Council to fully fund the ACPS budget. She said for the Clerk's Office funding, they go above and beyond and they are the face of justice and she asked that they fully fund the Clerks Office.

64. Sharon Annear, 1118 N. Howard Street, thanked Council for its support for Ft. Ward Park and the development of a management plan for the park and the interim and long-term correction of the stormwater problems. She thanked the Park and Recreation, Transportation and Environmental Services, and Office of Historic Alexandria employees, especially those who are affected by personnel reductions and she asked Council to give them serious consideration in the budget. She spoke to her need for Police Officers in the past and hoped that Council would respond to the Police Officers. She asked Council to take a hard look at the elderly tax relief.

65. Maderia Turner, 7926 Andrus Road, said she is a 26-year employee with the Recreation Department and she was given her RIF papers, so if the budget goes through, the people with many years of service will be RIF'ed and they were all 12 hour employees. Ms. Turner said there are 17 positions that have been hired in the last year or are to be filled, and those are the slots they need to look into getting rid of.

66. Don Buch, 389 Livermore Lane, said they need measurements of how they are spending money and not just how much and how effective it is. He spoke to the four-year outlook, which is projecting with a medium economic growth that there will be an operating deficit of \$88 million over the next four years, and if it is a slow economic growth it will have an operating deficit of \$184 million, and it needs to think now how to address those. He spoke to commercial versus residential, and he asked for a cost benefit analysis of two major hotels in the west end that are to be converted from hotels to residential. Mr. Buch spoke to the circumstances of the less fortunate in the community – the homeless, those on food stamps, students on free or subsidized lunch programs, and the Schools budget cannot fund eleven pre-K teachers, and it is cutting 13 people from Health and Human Services. Council should also look at the true cost of affordable housing.

67. Mariam Fikre, 1461 N. Highview Lane, #104, along with her son Nathaniel, spoke of her participation in the Parent Leadership Training Institute and the importance of PLTI and the positive impact it is making on the community. She also spoke to the Children's Leadership Training Institute and said her oldest son Nathaniel is a participant of CLTI. Ms. Fikre's 6-year old son Nathaniel also spoke, saying how much CLTI has helped him.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 6-0, City Council adjourned the special public hearing meeting of March 10, 2014 at 7:56 p.m. The voting was as follows: In favor, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, None. (Mayor Euille was absent.)

APPROVED BY:

\_\_\_\_\_  
WILLIAM D. EUILLE      MAYOR

ATTEST:

\_\_\_\_\_  
Jacqueline M. Henderson  
City Clerk and Clerk of Council

**City of Alexandria  
Meeting Minutes  
Tuesday, March 11, 2014  
7:00 P.M.  
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Ms. Anderson, Assistant City Attorney; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Police Captain Wemple; Mr. Baier, Director, Transportation and Environmental Services; Ms. Reinfeld, Transportation and Environmental Services; Ms. Farmer, Transportation and Environmental Services; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Browand, Recreation, Parks and Cultural Activities; Ms. Hamer, Director, Planning and Zoning; Mr. Farner, Planning and Zoning; Ms. Boyd, City Manager's Office; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

\* \* \* \* \*

**1. Calling the Roll.**

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All members of Council were present.

**2. Moment of Silence and Pledge of Allegiance.**

City Council observed a moment of silence and recited the Pledge of Allegiance.

**3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:**

The Public Hearing Meeting Minutes of February 22, 2014; and  
The Regular Meeting Minutes of February 25, 2014

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the public hearing meeting minutes of February 22, 2014 and the regular meeting minutes of February 25, 2014. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**

None.

## **PROCLAMATIONS**

4. Presentation of a Proclamation Recognizing the 30th Anniversary of DASH.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

5. Presentation of a Proclamation for the Land Launch of the Alexandria Seaport Foundation's Whaleboat.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Smedberg and carried unanimously, City Council endorsed the proclamation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

### **CONSENT CALENDAR (6-18)**

#### **(Resignations and Uncontested Appointments)**

6. Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Budget and Fiscal Affairs Advisory Committee  
Tom Karol

(b) Commission for the Arts  
Greg Johnson

(c) Park and Recreation Commission  
Nick Wagner

(d) Social Services Advisory Board  
Theron Fuller

(e) Torpedo Factory Art Center Board  
Greg Johnson

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 3/11/14, and is incorporated as part of this record by reference.)

**7. Uncontested Appointments to Members of Boards, Commissions and Committees:**

- (a) Alexandria Gang Prevention Community Task Force  
1 Member From and Representing a Community Organization with Specific Outreach to the Latino Community
- (b) Building Code Board of Appeals  
1 Citizen Member
- (c) Children, Youth and Families Collaborative Commission  
1 City Staff Representative
- (d) Commission on Aging  
1 Citizen Member Who is 60 Years of Age or Older
- (e) Community Criminal Justice Board  
1 Administrator of the Community Services Board
- (f) Sister Cities Committee  
1 Citizen Member
- (g) Social Services Advisory Board  
1 Citizen Member
- (h) Waterfront Commission  
1 Representative from the Commission for the Arts

(A copy of the above uncontested appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 3/11/14, and is incorporated as part of this record by reference.)

**(Reports and Recommendations of the City Manager)**

**8. Consideration of the Monthly Financial Report for the Period Ending January 31, 2014.**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 3/11/14, and is incorporated as part of this record by reference.)

**9. Consideration of Authorization for the City Manager to Execute the Docking Agreement with the Virginia Maritime Heritage Foundation to Dock the Schooner Virginia at the City Marina and Waive Associated Docking Fees.**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 3/11/14, and is incorporated as part of this record by reference.)

**10. Appointment of Management Representative and Alternate the City of Alexandria Supplemental Retirement Board and Firefighters and Police Officers Pension Plan.**



(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 3/11/14, and is incorporated as part of this record by reference.)

**11. Consideration of the Annual Committee Attendance Report for Fiscal Year 2013.**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11, 3/11/14, and is incorporated as part of this record by reference.)

**12. Consideration of a Grant Application to the Virginia Commission for the Arts for a Local Government Challenge Grant for the Department of Recreation, Parks and Cultural Activities.**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 3/11/14, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

**13. Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles For Hire), Division 2 (Certificates Of Public Convenience And Necessity) of The Code of the City of Alexandria, Virginia, 1981, as Amended.**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 3/11/14, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 3/11/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 13; 3/11/14, and is incorporated as part of this record by reference.)

**14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001. (Implementing ordinance for the rezoning of the property for the Health Department project approved by City Council on February 22, 2014)**

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 3/11/14, and is incorporated as part of this record by reference.)

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 3/11/14, and is incorporated as part of this record by reference.)

**15.** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Master Plan Amendment related to the Health Department Project approved by City Council on February 22, 2014)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 3/11/14, and is incorporated as part of this record by reference.)

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 3/11/14, and is incorporated as part of this record by reference.)

**16.** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment related to the Carlyle Plaza II project approved by City Council on February 22, 2014)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 3/11/14, and is incorporated as part of this record by reference.)

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 16; 3/11/14, and is incorporated as part of this record by reference.)

**17.** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 11-700 (Transportation Management special use permits) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0009. (Implementing Ordinance for the text amendment related to new TMP regulations approved by City Council on February 22, 2014)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 3/11/14, and is

incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 3/11/14, and is incorporated as part of this record by reference.)

**18.** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Article XIII (Environmental Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014. (Implementing ordinance for the text amendment approved by City Council on February 22, 2014 regarding stormwater regulations)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 3/11/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 18; 3/11/14, and is incorporated as part of this record by reference.)

**END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, City Council adopted the consent calendar, with the removal of item #13, which was considered under separate motion, as follows:

6. City Council received the following resignations with regret: (a) Tom Karol, Budget and Fiscal Affairs Advisory Committee; (b) Greg Johnson, Commission for the Arts; (c) Nick Wagner, Park and Recreation Commission; (d) Theron Fuller, Social Services Advisory Board; and (e) Greg Johnson, Torpedo Factory Art Center Board.

7. City Council made the following appointments to boards, commissions and committees: (a) reappointed James Williams as the one member from and representing a community organization with specific outreach to the Latino community to the Alexandria Gang Prevention Community Task Force; (b) reappointed Magnus Monson as the one citizen member to the Building Code Board of Appeals; (c) appointed Kate Garvey as the one City staff representative to the Children, Youth and Families Collaborative Commission; (d) appointed Alan Dinsmore as the one citizen member who is 60 years of age or older to the Commission on Aging; (e) waived the residency requirement and appointed Suzanne Chis as the one administrator of the Community Services Board to the Community Criminal Justice Board; (f) appointed Stacie Andersen as the one citizen member to the Sister Cities Committee; (g) appointed Mary Taylor as the one citizen member to the Social Services Advisory Board; and (h) appointed Shirley Downs as the one representative from the Commission for the Arts to the Waterfront Commission.

8. City Council received the monthly financial report for the period ending January 31, 2014.

9. City Council authorized the City Manager to execute the docking agreement with the Virginia Maritime Heritage Foundation to dock the Schooner Virginia at the City of Alexandria Marina from April 11, 2014 through April 14, 2014 and waive the associated docking fee.

10. City Council appointed Jean Kelleher, Director, Office of Human Rights, as the management representative from the City of Alexandria Firefighters and Police Officers Pension Board and the Supplemental Retirement Board; and appointed Elizabeth Davies, Performance Analyst, as the management alternative representative.

11. City Council: 1. received the report; 2. vacated the three positions listed on page one of the report; and 3. authorized the City Clerk and Clerk of Council to advertise the vacancies.

12. City Council authorized the City Manager to: 1. submit a grant application, in the amount of \$5,000, to the Virginia Commission for the Arts Local Government Challenge Grant Program; and 2. execute all necessary documents that may be required.

14. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, March 15, 2014.

15. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, March 15, 2014.

16. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, March 15, 2014.

17. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, March 15, 2014.

18. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, March 15, 2014.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**13.** Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles For Hire), Division 2 (Certificates Of Public Convenience And Necessity) of The Code of the City of Alexandria, Virginia, 1981, as Amended.

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 3/11/14, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 3/11/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council

received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 13; 3/11/14, and is incorporated as part of this record by reference.)

Mr. Baier, Director, Transportation and Environmental Services, noted that a change to the ordinance was made and staff will bring those changes for the grandfathered certificates, the Tenant and Workers proposals, and the pre-2005 regulation back to Council in April/May after additional staff work. He said section 9-12-31i was originally stricken but that should not be stricken when Council holds the public hearing on Saturday.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, March 15, 2014. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**CONTESTED APPOINTMENTS**

- 19.** Commission for the Arts  
1 Member Who Has Expertise in the Arts, Either as a Practitioner of Various Art Disciplines or as a Professional Administrator Working in the Field

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Kate Elkins  
Abida Ripley

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 3/11/2014, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Kate Elkins as the one member who has expertise in the arts, either as a practitioner of various art disciplines or as a professional administrator working in the field to the Commission for the Arts. The voting was as follows:

Euille	-	Elkins
Silberberg	-	Elkins
Chapman	-	Elkins
Lovain	-	Elkins
Pepper	-	Elkins
Smedberg	-	Elkins
Wilson	-	Elkins

- 20.** Commission on Employment  
1 Member From Such Organizations as Educational Agencies, Organized Labor, Rehabilitation Agencies, Community-based Organizations, Economic

Development Agencies or the Public Employment Services

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Cathy Price

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 3/11/2014, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council asked that this item be readvertised. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**21. Landlord-Tenant Relations Board**  
1 Homeowner Representative

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Nancy Prasad  
Debra Zusman

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 3/11/2014, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Debra Zusman as the one homeowner representative to the Landlord-Tenant Relations Board. The voting was as follows:

Euille	-	Zusman
Silberberg	-	Zusman
Chapman	-	Zusman
Lovain	-	Zusman
Pepper	-	Zusman
Smedberg	-	Zusman
Wilson	-	Zusman

**22. Potomac Yard Design Advisory Committee**  
1 Member Representing the Potomac West Area

(The following persons volunteered for appointment to the above Commission)

NAME:

ENDORSED BY:

Ryan Jones  
Samuel Salinas

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 3/11/2014, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Ryan Jones as the one member representing the Potomac West area to the Potomac Yard Design Advisory Committee. The voting was as follows:

Euille	-	Jones
Silberberg	-	Jones
Chapman	-	Jones
Lovain	-	Jones
Pepper	-	Jones
Smedberg	-	Jones
Wilson	-	Jones

**23. Traffic and Parking Board**  
2 Citizen Members

(The following persons volunteered for appointment to the above Commission)

NAME:

ENDORSED BY:

Thomas "Jay" Johnson  
Elizabeth Jones  
Jim Neurohr  
Wayne Patterson  
John Sergent

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 3/11/2014, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Thomas "Jay" Johnson and appointed Elizabeth Jones as the two citizen members to the Traffic and Parking Board. The voting was as follows:

Euille	-	Johnson, Jones
Silberberg	-	Johnson, Jones
Chapman	-	Johnson, Jones
Lovain	-	Johnson, Jones
Pepper	-	Johnson, Jones
Smedberg	-	Johnson, Jones
Wilson	-	Johnson, Jones

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION**

### **24. Update on the 2014 General Assembly Session (Final).**

(A copy of the City Manager's memorandum dated March 10, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 3/11/14, and is incorporated as part of this record by reference.)

Mr. Caton, Legislative Director, made a presentation of the report and responded to questions of City Council.

Senator Saslaw, Senator Barker, Delegate Herring and Delegate Krupicka reported to Council on the General Assembly session.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Chapman and carried unanimously, City Council received the report. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

### **25. Consideration of the Receipt of Potomac Yard Metrorail Station Implementation Schedule.**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 3/11/14, and is incorporated as part of this record by reference.)

Mr. Baier, Director, Transportation and Environmental Services, and Mr. Jinks, Deputy City Manager, made a presentation of the staff report and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council received the revised Potomac Yard Metrorail Station implementation schedule. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES**

### **ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

and

### **ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

1. Councilwoman Pepper spoke of the ribbon cutting ceremony honoring the new bus Wellness on Wheels and the tour of the bus. Several schools will be on the bus route, and the bus allows the children to see a dentist or have a physical examination, and it gives children the concept that wellness is important.



Mayor Euille noted there was a grant for \$380,000 from the Department of Health and Education for ACPS and the bus is programmed to service three schools.

2. Councilwoman Pepper said she recently viewed the presentation of the Journey to be Free, Descendants Returning Home to Alexandria, a performance of singers and an historian lecturer who spoke of Alexandria's history at the time the number of African-Americans were being buried at the site of the Freedman's Cemetery Memorial, and she hoped it could be shown on the City's cable tv channel. It honored the 150th anniversary of the sites first burial.

3. Councilman Smedberg said that at the NVTC meeting last week, it had an update from the Virginia Department of Transportation and the DRPT. He said it is amazing what a difference an election can make on some key issues for Northern Virginia - VRE track access, the TSDAC numbers, Metro Momentum, and several other areas that are being moved on and being addressed.

4. Councilman Smedberg acknowledged the work of Deputy City Manager Mark Jinks, as he heard from several individuals the fine work Mr. Jinks did on the City's behalf and the region's behalf for the Metro Momentum agreement.

5. Mayor Euille thanked Virginia Governor McAuliffe, Maryland Governor O'Malley and D.C. Mayor Gray for signing the agreement for continued funding of the Capital Improvement Program at Metro - \$25 million from each jurisdiction.

6. Councilman Chapman thanked staff who did a great panel presentation at the end of the descendants event, which showed their full knowledge of the issues and the care and concern they show for Alexandria's history and the families that have lived here.

7. Councilman Chapman wished happy 35th birthday to Councilman Wilson.

8. Councilman Chapman said with the last snowstorm, he had the opportunity to work with some of the T&ES folks and went on one of the snow plows as the crew cleaned the streets. He said it was a great experience to see the work the staff did in time of emergency and bad weather. One of the things that comes up during the winter is the cost for all that is done for snow removal and cleaning. He asked the City Manager where they were with that cost and how is it different from other years and how will it affect budgeting in the future.

Ms. Smith, Director, Office of Management and Budget, said the snow budget is put in the non-departmental fund, and there is \$836,000 for snow emergencies, and at this point, they are estimating \$1.4 million spent thus far. It does not incorporate any public safety costs related to personnel.

## **ORAL REPORT FROM THE CITY MANAGER**

None.

## **ORDINANCES AND RESOLUTIONS**

**26.** Consideration. Passage on First Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year

2014 (Fiscal Year 2015).

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 3/11/14, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 26; 3/11/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 4 of Item No. 26; 3/11/14, and is incorporated as part of this record by reference.)

**WHEREUPON**, a motion was made by Councilman Wilson and seconded by Councilman Smedberg, to set the tax rate to be advertised for residential and commercial real property and personal property as \$1.038.

**WHEREUPON**, a substitute motion was made by Councilman Chapman, seconded by Councilwoman Pepper and carried 5-2, to pass the ordinance on first reading and established the tax rate to be advertised for residential and commercial real property and personal property as \$1.043 (a half a cent); and 2. set the ordinance for public hearing on Saturday, April 12, 2014 and second reading and final passage on Thursday, May 1, 2014. The motion carried by a vote of 5-2 and was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain and Councilwoman Pepper; Opposed, Councilman Smedberg and Councilman Wilson.

**27.** Consideration of a Resolution to Establish a Policy Advisory Group for the Van Dorn/Beauregard Transitway Alternatives Analysis/Environmental Assessment. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 3/11/14, and is incorporated as part of this record by reference.)

Ms. Farmer, Transportation and Environmental Services, made a presentation of the staff report and she, along with Mr. Baier, Director, Transportation and Environmental Services, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilwoman Pepper and seconded by Councilman Wilson, City Council: 1. approved the resolution establishing a Van Dorn/Beauregard Transitway Policy Advisory Group; 2. requested that the chairs of the Transportation Commission, Planning Commission, Environmental Policy Commission and the Budget and Fiscal Affairs Advisory Committee each nominate a member of their group to serve on the Advisory Group and 3. authorized the City Manager to appoint the remaining members and designate the Chair of the Advisory Committee.

Councilman Smedberg suggested a friendly amendment to replace the Environmental Policy Commission representative on the group with a professional member skilled in

transportation or transit.

The maker and seconder of the motion accepted the amendment and it is now part of the motion. The motion reads as follows:

City Council: 1. approved the resolution establishing a Van Dorn/Beauregard Transitway Policy Advisory Group; 2. requested that the chairs of the Transportation Commission, Planning Commission, and the Budget and Fiscal Affairs Advisory Committee each nominate a member of their group to serve on the Advisory Group and 3. authorized the City Manager to appoint the remaining members (with the addition of a professional in transportation or transit and the deletion of the member from the Environmental Policy Commission) and designate the Chair of the Advisory Committee.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The resolution reads as follows:

#### RESOLUTION NO. 2605

WHEREAS, City Council wishes to establish a Van Dorn/Beauregard Transitway Policy Advisory Group; and

WHEREAS, the Van Dorn/Beauregard Transitway Policy Advisory Group will comment on the Van Dorn/Beauregard Transitway Alternatives Analysis/Environmental Assessment (AA/EA), and conduct specified tasks outlined in this resolution.

#### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:

1. That there is hereby established the Van Dorn/Beauregard Transitway Policy Advisory Group (the "Advisory Group").
2. That the Advisory Group shall consist of 9 members, and the composition of the group shall be as follows:

Transportation Commission member (1)  
Planning Commission member (1)  
Budget and Fiscal Affairs Advisory Committee member (1)  
Professionals in Transit field(2)  
Community representatives(3)  
Developer representative(1)  
Total (9)

3. That the Chairs of the above named groups shall nominate a member of their group to serve on the Advisory Group.

4. That the remaining slots will be appointed by the City Manager based on a call for nominations publicized through the City's eNews service, notices to civic, community, and business associations, and the City website.
  5. That the City Manager shall designate the Chair of the Advisory Group.
  6. That the mission of the Advisory Group shall be to provide input on key deliverables and project recommendations related to the Van Dorn/Beauregard Transitway AA/EA.
  7. That the Advisory Group shall review and provide guidance on:
    - a. Definition of the project Purpose and Need;
    - b. Refinement of alternatives;
    - c. Evaluation measures and priorities;
    - d. Evaluation results and determination of the LPA; and
    - e. Results of the environmental analysis.
  8. That the Advisory Group need not necessarily develop a consensus position, broker a compromise or take formal votes. There may be differing opinions reported to City Council.
  9. That staff assistance to the Advisory Group shall be managed by the Department of Transportation and Environmental Services with assistance from other City departments and offices as needed.
  10. That the Advisory Group shall meet on a regular basis.
  11. That the Advisory Group shall sunset no later than submission of an Environmental Assessment document to the Federal Transit Administration.
- 28. Update On the Oakville Triangle and Route 1 Planning Process and Consideration of a Resolution to Establish an Oakville Triangle and Route 1 Corridor Advisory Group. {ROLL-CALL VOTE}**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 3/11/14, and is incorporated as part of this record by reference.)

Mr. Farner, Deputy Director, Planning and Zoning, made a presentation of the staff report and he, along with Ms. Hamer, Director, Planning and Zoning, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council: 1. received the update on the Oakville Triangle - Route 1 planning process; 2. approved the resolution establishing an Oakville Triangle and Route 1 Corridor Advisory Group; 3. requested that the chair of the Planning Commission nominate a member from the Planning Commission to serve on the Advisory Group; 4. requested that each of the three civic associations listed in the resolution nominate a member from their group to serve on the Advisory Group; and 5. authorized the City Manager to appoint the business and at-large representatives, as well as the Potomac Yard South representative, and to designate the Chair of the Advisory Group. The voting was

as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2606

WHEREAS, City Council wishes to establish an Oakville Triangle and Route 1 Corridor Advisory Group;  
and

WHEREAS, the Oakville Triangle and Route 1 Corridor Advisory Group will conduct specified tasks outlined in this resolution.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:

That there is hereby established the Oakville Triangle and Route 1 Corridor Advisory Group (the "Advisory Group") whose mission is to provide advice to City staff on the planning and associated regulatory submissions for Oakville Triangle and the Route 1 Corridor.

1. That the Advisory Group shall consist of nine members and the composition of the group shall be as follows:

Planning Commission	(1)
Del Ray Citizens Association	(1)
Hume Springs Citizens Association	(1)
Lynhaven Civic Association	(1)
Business Representative	(1)
Potomac Yard South (CDD #10) Resident	(1)
At-Large Member	(3)
<hr/> Total	<hr/> (9)

2. The Chair of the above named commissions and organizations will be asked to nominate a member of each of their groups to serve on the Advisory Group. The remaining Business Representative, Potomac Yard South resident, and three at-large members will be appointed by the City Manager, based on a call for nominations publicized through the City's eNews service, notices to civic and community associations, and the City's website.
3. That the City Manager shall designate the Chair of the Advisory Group whose role is to serve as a meeting facilitator, spokesperson and work with City staff to set Advisory Group meeting agendas and final letter(s) to the Director of Planning and Zoning referenced above.
4. That the mission of the Advisory Group shall be to provide input to City staff on the planning and associated regulatory submissions for Oakville Triangle and the Route 1 Corridor.

5. That the Advisory Group shall complete the following tasks:
  - a. Assist in the development of principles as part of the Small Area Plan process;
  - b. Discuss potential land uses, open space, sustainability, phasing of improvements as part of the Small Area Plan process;
  - c. Review transportation and connectivity issues as part of the Small Area Plan process;
  - d. Discuss potential community and public benefits as part of the Small Area Plan process; and
  - e. Ensure that regulatory submissions are consistent with the intent of the Small Area Plan.
  
6. That members of the Advisory Group are expected to:
  - a. Provide advice to City staff on the tasks outlined herein.
  - b. Assist and support the City's community engagement outreach efforts and meeting activities.
  - c. Attend all meetings prepared by reading assigned materials and information.
  
7. That the Advisory Group will be staffed by representatives of the Department of Planning and Zoning.
  
8. That the Advisory Group will generally hold monthly public meetings, or meet as needed.
  
9. That the Advisory Group will sunset at the completion of their stated tasks as defined herein.

## **OTHER**

### **29. Consideration of City Council Schedule.**

(A copy of the City Manager's memorandum dated March 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 3/11/14, and is incorporated as part of this record by reference.)

Mayor Euille asked that the June 10 City Council meeting be rescheduled for Wednesday, June 11 due to the Congressional elections for the democratic primary.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council: 1. received the revised Council Calendar which includes: the joint work session with ACPS is scheduled for Wednesday, March 19, at 7:00 p.m. at George Washington Middle School - All Center Room 348; Spring for Alexandria Community Service Day is scheduled for Friday, May 16; and the June 10 City Council meeting be moved to Wednesday, June 11, 2014 due to Congressional elections for the democratic primary; and 2. approved the calendar. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

### **30. Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.**

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 10:10 p.m., City Council convened in closed executive session to consult with staff and legal counsel regarding threatened or pending litigation, specifically the litigation and/or settlement of certain land use matters pursuant to Section 2.2-3711(a)(7) of the *Code of Virginia*. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 10:55 p.m., City Council reconvened the meeting. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution pertaining the Executive Session. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2607

WHEREAS, the Alexandria City Council has this 11th day of March 2014, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of March 11, 2014, at 10:56 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, None.

APPROVED BY:

\_\_\_\_\_

WILLIAM D. EUILLE    MAYOR

ATTEST:

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Jacqueline M. Henderson  
City Clerk and Clerk of Council





Legislation Details (With Text)

**File #:** 14-2575 **Name:** resignations  
**Type:** Appointment **Status:** Agenda Ready  
**File created:** 3/19/2014 **In control:** City Council Legislative Meeting  
**On agenda:** 3/25/2014 **Final action:**  
**Title:** Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Citizen Corps Council  
Tara Hicks

(b) Commission for the Arts  
Cynthia Clauson

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-2575 resignations](#)

Date	Ver.	Action By	Action	Result
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Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Citizen Corps Council  
Tara Hicks

(b) Commission for the Arts  
Cynthia Clauson

March 19, 2014

Receipt of the following resignations from Members of Boards, Commissions and Committees:

- (a) Citizen Corps Council  
Tara Hicks (*effective March 7, 2014*)
- (b) Commission for the Arts  
Cynthia Clauson (*effective March 20, 2014*)

**These resignations are for information only.**



Legislation Details (With Text)

**File #:** 14-2574      **Name:** Uncontested appointments to boards and commissions

**Type:** Appointment      **Status:** Agenda Ready

**File created:** 3/19/2014      **In control:** City Council Legislative Meeting

**On agenda:** 3/25/2014      **Final action:**

**Title:** Uncontested Appointments to Members of Boards, Commissions and Committees:

(a) Alexandria Marketing Committee  
2 Members with Experience or Expertise in the Following Areas: Marketing/Communications, Advertising Agency/Public Relations, Media Buyer, Graphic Design/Production and or Media Relations/Media Outlet

(b) Citizen Corps Council  
1 Citizen Member Designated by the Alexandria School Board

(c) Community Criminal Justice Board  
1 Representative of a Non-profit Organization Recommended by the Alexandria United Way

(d) Park and Recreation Commission  
2 Members from Planning District III  
1 Member from Among the High School Youth of the City

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-2574 uncontested appointments](#)

Date	Ver.	Action By	Action	Result
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Uncontested Appointments to Members of Boards, Commissions and Committees:

- (a) Alexandria Marketing Committee  
2 Members with Experience or Expertise in the Following Areas: Marketing/Communications, Advertising Agency/Public Relations, Media Buyer, Graphic Design/Production and or Media Relations/Media Outlet
- (b) Citizen Corps Council  
1 Citizen Member Designated by the Alexandria School Board
- (c) Community Criminal Justice Board  
1 Representative of a Non-profit Organization Recommended by the Alexandria United Way
- (d) Park and Recreation Commission  
2 Members from Planning District III  
1 Member from Among the High School Youth of the City

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Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

**Alexandria Marketing Committee**

(3-year term)

2 members with experience or expertise in the following areas: marketing/communications, advertising agency/public relations, media buyer, graphic design/production and or media relations/media outlet

\_\_\_\_\_ James Dillon

\_\_\_\_\_ William Shaw \*

**Citizen Corps Council**

(3-year term)

1 citizen member designated by the Alexandria School Board

\_\_\_\_\_ Anthony Barone

Susan Neilson, Clerk of the School Board

**Community Criminal Justice Board**

(2-year term)

1 representative of a non-profit organization recommended by the Alexandria United Way

\_\_\_\_\_ Alexis Stackhouse \*

Kimberly R. Tate, Director of Corporate Partnerships, United Way of the Nat'l Capital Area

**Park and Recreation Commission**

(3-year term)

2 members from Planning District III

\_\_\_\_\_ Judith Coleman \*

Judy Guse-Noritake, chair, Park and Recreation Commission

\_\_\_\_\_ Richard Brune \*

Judy Guse-Noritake, chair, Park and Recreation Commission

1 member from among the high school youth of the City

\_\_\_\_\_ Alexis Browand

\* incumbent



Legislation Details (With Text)

<b>File #:</b>	14-2489	<b>Name:</b>	
<b>Type:</b>		<b>Status:</b>	Agenda Ready
<b>File created:</b>	2/25/2014	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	3/25/2014	<b>Final action:</b>	
<b>Title:</b>	Consideration and Approval of the License Agreement Between the City of Alexandria and the Potomac Riverboat Company, LLC to Provide Water Taxi Service from the City Marina.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-2489_PRC Water Taxi Service License Agreement</a>		

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** MARCH 19, 2014

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER/s/

**DOCKET TITLE:**  
 Consideration and Approval of the License Agreement Between the City of Alexandria and the Potomac Riverboat Company, LLC to Provide Water Taxi Service from the City Marina.

**ISSUE:** Approval of a three-year and nine month license agreement with the Potomac Riverboat Company to operate a Water Taxi Service from the City Marina using the *Commander Jacques, Lady Josephine, and Miss Sophie*.

**RECOMMENDATION:** That City Council approve and authorize the City Manager to execute the attached three-year and nine month agreement (April 1, 2014 through December 31, 2017) with the Potomac Riverboat Company allowing them to continue to operate a Water Taxi Service from the City Marina using the *Commander Jacques, Lady Josephine, and Miss Sophie*.

**DISCUSSION:** The Potomac Riverboat Company began operating a Water Taxi Service in the City Marina in April 2007 with a daily route between the City of Alexandria and National Harbor. In 2010, the Potomac

Riverboat Company added a route to Washington D.C. to provide Water Taxi Service to Washington Nationals' baseball games, and in August 2013, Potomac Riverboat Company submitted a proposal to the City to add an additional water taxi route between the City of Alexandria and the National Mall, West Basin & Ohio Dr., Washington D.C. In FY 2013, the Potomac Riverboat Company provided Water Taxi Service to 91,916 passengers.

With the proposal to add a new route, the City entered into negotiations with the Potomac Riverboat Company to amend the current agreement to allow for this new service and specifically identify the vessels authorized to provide the water taxi service. The current license agreement identifies the authorized vessels to provide the water taxi service as the *Miss Mallory* and two unnamed vessels.

In addition, the following major points of the proposed license agreement are:

1. Specifically identifies the Water Taxi Service Vessels as the *Commander Jacques*, *Lady Josephine*, and *Miss Sophie*;
2. Provides conditions for the Potomac Riverboat Company to add additional water taxi routes by written notice to the City 90-days in advance of commencement;
3. Aligns the Water Taxi License Agreement term with other license agreements between the City and Potomac Riverboat Company and Polak Steamboat, Inc. by expiring on December 31, 2017;
4. This Agreement on April 1, 2014, replaces the existing agreement between Licensor and Licensee regarding the Water Taxi Service; and
5. Identifies the City's intent to place the right to use some or all of the commercial berths out for competitive bid in or about June 2016, with new licenses commencing on January 1, 2018.

It is staff's understanding that Polak Steamboat, Inc. and Potomac Riverboat Company agree to all terms contained in the proposed license agreement. This license agreement has no impact on the existing agreements with Polak Steamboat, Inc. and the Potomac Riverboat Company providing sightseeing services from the City Marina.

**FISCAL IMPACT:** The license revenue helps offset part of the operating costs of the City in operating the City Marina. The Licensor will pay the City \$9,864 in total expected revenue in calendar year 2014. On January 1, 2015 and each year thereafter the annual license fee Base Amount shall be adjusted by the October to October change in the Consumer Price Index for Urban Wage earners (CPI-U), or an equivalent measure agreed to by the parties.

The City will offer the Potomac Riverboat Company use the City managed trash facility in the Torpedo Factory Condominium building for disposal of trash from the Vessels. If the Potomac Riverboat Company chooses to use this service, they will be billed the cost by the City for that trash service.

**ATTACHMENTS:**

Attachment 1. Water Taxi Service License agreement with the Potomac Riverboat Company

**STAFF:**

Debra Collins, Deputy City Manager

Karen Snow, Assistant City Attorney

James Spengler, Director, Recreation, Parks and Cultural Activities

Jack Browand, Division Chief, Recreation, Parks and Cultural Activities

**LICENSE AGREEMENT BETWEEN THE CITY OF ALEXANDRIA  
AND THE POTOMAC RIVERBOAT COMPANY, LLC  
FOR THE OPERATION OF WATER TAXI SERVICES**

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_ 2014, by the City of Alexandria, a municipal corporation of Virginia (the "Licensor"), and the Potomac Riverboat Company, LLC, a Virginia limited liability company (the "Licensee").

WHEREAS, Licensee is the owner of the "*Commander Jacques*," "*Lady Josephine*," and "*Miss Sophie*," and desires to operate a water taxi service ("Water Taxi Service"), using the "*Commander Jacques*," "*Lady Josephine*," or "*Miss Sophie*," collectively known as the Vessels, from the City Marina in the City of Alexandria, Virginia; and

WHEREAS, Licensee plans to operate a Water Taxi Service between the National Harbor, Prince Georges County, Maryland; the National Mall, West Basin & Ohio Dr., Washington D.C.; and the Diamond Teague Park, Washington, D.C.; and the City Marina in the City of Alexandria, Virginia beginning on April 1, 2014;

NOW, THEREFORE, it is mutually agreed as follows:

1. **Representations**. By executing this Agreement, the Licensee warrants that it is the legal owner of the vessels described in paragraph 14 below (the "Vessels") and is authorized to enter into this Agreement.
2. **Applicability of City State and Federal Law**. This Agreement is subject to title 6, chapter 3 of the Alexandria City Code and all applicable provisions of federal, state and local law. In particular, this Agreement is subject to, and Licensee shall comply with, among other things the criminal, fire, health and safety laws of the City of Alexandria and the Commonwealth of Virginia pertaining to the operation of the Vessels. Licensee shall permit officers and employees of the City of Alexandria charged with the enforcement of such laws to board and inspect the Vessels, for the purpose of enforcing such laws.
3. **Rules and Regulations**. Licensee shall comply with the Rules and Regulations of the City Marina, including any amendments which may be adopted during the term of this Agreement. The current Rules and Regulations are set forth in Attachment A to this Agreement and are incorporated by reference into this agreement as if fully set forth herein.

4. **Insurance.** Licensee shall provide a certificate of insurance to the Licensor that shows that Licensee and the Vessels are covered by:
- (a) Property damage insurance in an amount sufficient to replace the Vessels in case of the total destruction of anyone or more of them;
  - (b) Liability insurance in an amount not less than \$1,000,000 per person per occurrence and \$3,000,000 in the aggregate per occurrence which insures the Licensee against claims of personal injury and property damage arising from the negligent operation of the Vessels by the Licensee or Licensee's agents and employees;
  - (c) Insurance in the amount of not less than \$1,000,000 per occurrence which insures Licensee, regardless of fault or negligence by Licensee or any agent or employee of Licensee, against claims of damage to property of the City of Alexandria caused by (i) the operation of the Vessels by Licensee or any agent or employee of Licensee, and (ii) any casualty or event involving Licensee's sightseeing tour boat service, the Vessels, the floating access platform (as discussed below in paragraph 15), or any agent, employee, invitee or guest of Licensee; and
  - (d) Wreck removal insurance to cover the cost of removing any Vessel if it should sink or become awash, and the Licensor shall be named beneficiary of such policy.

Licensee agrees to maintain such insurance coverage throughout the term of this Agreement, and to furnish evidence to the Licensor of such coverage prior to the effective date, and throughout the term, of this agreement. In addition, Licensor shall be named on the liability insurance policy required by subparagraphs (b) and (c) as an additional insured. In the event Licensee is unable to obtain the insurance required by subparagraph (b) that names Licensor as an additional insured, or the insurance required by subparagraph (c), or both, Licensee agrees to Indemnify and hold Licensor harmless against all of the claims identified in said subparagraph (b) or against all losses incurred by Licensor that are identified in said subparagraph (c), or against both such claims and such losses, as the case may be.

5. **Indemnification.** Licensee agrees to indemnify and hold harmless the Licensor and all of its officers, employees and agents from and against all suits, actions, causes of action, damages, claims, liability and expenses (including court costs and attorney's fees), and against any losses incurred by Licensor, resulting from or arising out of any act or omission of the Licensee or any of its employees, agents, invitees, licensees or guests in the course of operating, maintaining or using the Vessels.



6. **Waiver of Licensor's Liability.** By executing this Agreement, Licensee expressly acknowledges and agrees that the Licensor and its officers and employees shall not be liable to Licensee or to any of its employees, agents, invitees, licensees or guests for any bodily injury or property damage sustained by any of them while on Licensee's Vessels or while at or on the City Marina, or for any property damage to Licensee's Vessels; except to the extent such injury or damage is caused by the negligence of the Licensor or its officers or employees.

7. **Grant and Term of License.**

(a) This Agreement grants non-exclusive permission for the Licensee to operate, on a regular basis, services using the Vessels from the City Marina for the term of this Agreement.

(b) Licensee shall be permitted to berth at the D-3 Floating Dock ("Berth"). The Berth may be used for vessel mooring and ancillary purposes only and may be used for embarkation or disembarkation of passengers.

(c) The term of this Agreement shall be from April 1, 2014 through and including December 31, 2017 and this Agreement shall on April 1, 2014, replace the existing agreement between Licensor and Licensee regarding the Vessels.

(d) The parties agree that the City intends to place the right to use some or all of the commercial berths out for competitive bid in or about June 2016, with new licenses commencing on January 1, 2018.

(e) The Licensee may provide additional Water Taxi Service in the future provided the Licensee notify the Licensor of new routes 90-days in advance of commencement and provided the Licensee request no additional vessels or berthing locations.

8. **Special Conditions of License.**

(a) Taxi Restriction. No voyage shall commence before 9:30 a.m. The parties expressly agree that this condition is intended to prevent use of the Water Taxi Service or the Vessels for commuting purposes.

(b) Hours of Use of Berth. The Berth may be used 24 hours per day, seven (7) days per week for the docking of no more than one (1) of the Vessels identified in this agreement.

(c) Embarkation and Disembarkation. Passenger embarkation and disembarkation shall be permitted at the Berth and at such locations at the City Marina; other than

the Berth, as are determined to be available, and are approved via a general written operational plan by the City's Dockmaster. Nothing contained in this Agreement shall be deemed to require Licensor to furnish to Licensee any location at the City Marina other than locations under control of the Licensee for embarkation or disembarkation of passengers. Notwithstanding the provisions of any other agreement for the use of a commercial berth at the City Marina, upon the agreement of the Dockmaster, on behalf of Licensor, and the other party to such agreement, Licensee may use the commercial berth which is the subject of such other agreements for embarkation or disembarkation of passengers, subject to the restrictions contained in this paragraph. In no event shall Licensee permit passengers to embark between the hours of midnight and 8 a.m. on the following day, unless different hours are approved in writing by the City Manager. The final disembarkation of passengers on each day of operation shall be no later than midnight.

- (d) **Trash Removal and Disposal.** Licensee shall provide convenient on-board trash receptacles for use of clients of the Service and shall dispose of all trash and debris from the operation of the Service. Licensee shall deposit no trash or debris on any part of the City Marina. If Licensee should fail to fulfill its obligations under this section, as determined by Licensor and in its sole discretion, Licensor may arrange and pay for such collection of litter, debris and refuse. Licensee shall, upon demand by Licensor, reimburse Licensor for expenses incurred for such collection of refuse within 30 days of Licensee's receipt of a billing statement issued by Licensor itemizing such expenses.
- (e) **Navigation Hazard.** Whenever Licensor shall reasonably determine that the Vessels present a navigational hazard if berthed at the Berth, the Vessels shall be berthed at another location, with the approval of the City's Dockmaster. In such event, unless Licensor further reasonably determines that such operation of the Service also presents a navigational hazard, Licensor shall be permitted to embark and disembark passengers at the Berth. If Licensor makes such further determination, Licensor shall use its best efforts to make reasonable arrangements for the Service to continue from another location at the Marina.
- (f) **Refueling.** Refueling operations are prohibited from taking place at the Berth unless approved by the City Manager in writing to the Licensee. If granted, such approval may be revoked at any time by the City Manager for reasonable cause.
- (g) **Signs.** Licensee shall not erect or maintain any signs in conjunction with or calling attention to the Service unless the signs comply with applicable provisions of the Alexandria Zoning Ordinance, and approval for such signs has been obtained from Licensor and; if applicable, the Alexandria Board of Architectural Review.

- (h) Licensee shall maintain at its sole expense a ramp, floating dock, and related structure known as the floating access platform (the "Facilities") at the Berth. Such facilities shall meet all applicable federal; state and city laws and regulations for the term of the agreement.
- (i) Licensee shall be permitted to maintain, at its sole expense, its current ticket booth (the "Ticket Booth") located at the foot of the North Pier. Licensee shall use the ticket booth only for the purpose of vending tickets for sightseeing and taxi tour boat services, whether provided by the Vessels, the Admiral Tilp, Matthew Hayes, the Miss Christin or the Cherry Blossom while any of these vessels are berthed at, or utilize, the City Marina pursuant to a current license agreement with Licensor, and for distributing information on such sightseeing tour boat services and on other sightseeing and related services that are available to visitors. Any other use of the booth may conflict with an existing Agreement between Licensor and Alexandria Waterfront Associates, and therefore, may not be maintained without the express consent of Licensor.
- (j) Licensee agrees to display, in good faith but to the degree feasible, City of Alexandria Convention and Visitors Association(ACVA) provided materials including, but not limited to, ACVA's visitors guide, maps, information on museums and attractions, as well as other related information. Licensee agrees to work with the Licensor and ACVA to determine if providing electronic media on the new vessels, to orient passengers to the City of Alexandria, is feasible, and to install and operate such electronic media at the Licensor's or ACVA's cost, if such electronic media is mutually determined feasible by the Licensee and Licensor.

9. **License Fee.**

- (a) The Licensee shall annually pay the Licensor a License Fee equal to the higher of either the Base Amount or the Revenue Sharing Amount. The Base Amount shall be paid monthly as described below in (b). Within 60 days after the calendar year is completed if the Revenue Sharing Amount as described below in (c) is higher than the Base Amount, then the Licensor shall pay the Licensee the balance of any License Fee due under this agreement.
- (b) Base Amount: Licensee shall pay to Licensor an annual base fee ("Base Amount") for the license granted under this agreement. Licensee shall pay to Licensor an annual license fee Base Amount of \$9,864, payable at the rate of \$822 per month for the periods, January 1, 2014 through and including December 31, 2014. On January 1, 2015 and each year thereafter the annual license fee Base Amount shall

be adjusted by the October to October change in the Consumer Price Index for Urban Wage earners (CPI-U), or an equivalent measure agreed to by the parties. All monthly payments shall be rendered in advance, on the first business day of the month on which such fee is due.

- (c) Revenue Sharing Amount: The Revenue Sharing Amount shall be calculated based upon the Licensee paying to the Licensor a 10% share of net revenues as defined by the equation below:

$$((\text{Total Net Annual Revenues} - (\text{Total Operating Expenses} + \text{Debt Service on the Vessels})) \times 10\%) \sim \text{Revenue Sharing Amount}$$

For the purposes of the above equation: Total Net Annual Revenues is defined to include all revenues less credit card fees, commissions and other costs of ticket sales received by the Licensee, or agent of the Licensee, for the payment of passage from the operation of the Water Taxi Service between the City Marina and National Harbor.

- (d) Total Operating Expenses is defined as \$1,124,681 for 2013. In each subsequent year the Total Operating Expenses will be adjusted by the October-to-October change in the Consumer Price Index for Urban Wage earners (CPI-U), or an equivalent measure, for the prior calendar year.
- (e) In the event that Total Annual Net Revenues less Operating Expenses and Debt Service produces a negative remainder when the annual calculation is undertaken, then that negative remainder may be added to the Total Operating Expenses in the subsequent year's calculation of Revenue Sharing Amount.
- (f) The calculation shall be done on a calendar year basis, with the results of the calculation and any payment due to the Licensor, paid to the Licensor 60 days after the close of the calendar year. If there is no amount due, the Licensee shall provide the Licensor a copy of the calculations.
- (g) The Licensee shall make available to the Licensor for the Water Taxi Service on a reasonable basis the records and accounting for Total Net Annual Revenues and for Debt Service.
- (h) In the event that the Licensor is successful in obtaining federal or state reimbursement, or grant funds, to assist in funding operations or capital costs of purchasing the Vessels, then the Total Operating Expenses and Debt Service shall be adjusted accordingly.

- (i) Debt Service is defined as the payment of principal and interest related to the purchase, the equipping, and the furnishing of the New Vessels. If the vessels are leased, then the lease payments shall be considered Debt Service for the purposes of this License Fee calculation.
  - (j) Notwithstanding any provision of this section, the Licensee will receive credit against any License Fee due under this agreement for reasonable capital expenditures related to constructing the Floating Access Platform, any related ramps, as well as the costs of expanding the Ticket Booth, as provided in paragraphs 8(i) and 15: Such credits may be taken against the monthly Base Amount due and/or any Revenue Sharing Amount due until such time the credits equal the capital expenditures. An estimate of these planned construction costs, shall be provided to the Licensor prior, to commencement of construction, as well as a final accounting shall be provided to the Licensor after the construction is completed. The Licensee shall be responsible for obtaining any and all City permits needed to undertake this construction.
  - (k) Licensee shall not be entitled to any reduction in the license fee in the event the Berth is not occupied by the Vessels or Licensee does not conduct Service from in the City Marina.
  - (l) If Licensee fails to pay any installment in full within ten calendar days of the installment's due date, Licensee shall be liable for a penalty, equal to 10 percent of said installment, plus interest, based upon the amount unpaid and a rate of 10 percent per annum (compounded annually), from the due date. Any such penalty and interest shall be due at the next installment due date.
10. **Waterfront Events**. Use of the Berth shall be dependent upon the scheduling by Licensor of waterfront upkeep and maintenance activities, dredging activities, pier construction, repair and renovation activities, any other waterfront construction and harbor improvement activities, and any emergency repairs or events that restrict access of the Vessels to the Berth (collectively, "Waterfront Events"). If a Waterfront Event requires the moving of the Vessels, Licensor will attempt to locate another docking location for Licensee but if Licensor fails to do so, then Licensee shall be responsible for finding an alternate docking location. If a Waterfront Event renders Licensee unable to use another Berth at the City Marina which the Licensee has licensed from the Licensor for the purpose of embarking or disembarking passengers, Licensor will use its best efforts to locate an alternate docking facility suitable for loading and discharging passengers. For each day in excess of two (2) per calendar month between March 1 and November 30 that Licensee is unable to use a docking location at the City Marina during

normal hours of operation because of a Waterfront Event, License shall be entitled to the pro rata reduction of its monthly payment of the License.

11. **Assignment**. This license may not be assigned by the Licensee without the consent of Licensor, which consent shall not be, unreasonably withheld but which may require action by the Alexandria City Council.
12. **Termination**. In the event that Licensee violates any of the terms of this Agreement, Licensee shall be considered in default. If such default continues for 30 days after Licensee has received written notice of the default, then this license may be terminated, effective immediately, by Licensor. Notwithstanding the above, Licensor shall have the right to terminate this license, effective immediately, in the event Licensee shall be adjudicated a bankrupt, or if a receiver is appointed in a legal proceeding of any kind to take possession of the assets of Licensee, or if any creditor of Licensee shall seize, take possession of or foreclose upon the Vessels.
13. **Removal**. If this license is terminated, any remaining Vessels shall be immediately removed from and cease utilizing the City Marina and any alternate docking facility owned by Licensor. If it becomes necessary for Licensor to remove or cause the removal of the Vessels through any legal proceeding, or otherwise, then the Licensor shall be entitled to recover all costs incurred in conjunction with such proceeding, including attorney's fees, from the Licensee and any successor in interest in ownership or possession of the Vessels, and such liability shall be joint and several.
14. **Vessels**. The only Vessels subject to this Agreement, having an overall length not to exceed eighty (80) feet and a width not to exceed twenty-five (25) feet, are the "*Commander Jacques*," "*Lady Josephine*," and "*Miss Sophie*,". For the purposes of this paragraph, "width" shall mean the sum of (i) the width at its widest point of the floating access platform that Licensee has constructed at the Berth, (ii) the width of the open water that lies between a Vessel and the southern edge of said floating access platform when a Vessel is at the Berth, and (iii) the width of the Vessels at its widest point. The Licensee, after providing written notice to the City, may substitute a single vessel, not exceeding the overall length and width as identified in this paragraph, for one (1) of the named vessels while out of use due to scheduled maintenance or mechanical problems. At no time is the Licensee permitted to operate more than three (3) water taxi vessels from the Berth or other berth in the City Marina in one (1) 24-hour period.
15. **Floating Access Platform**. Licensor will permit the Licensee to maintain a floating access platform ("float") at the Berth, which float is the property of the Licensor. It shall be the sole responsibility of the Licensee, throughout the term of this agreement, and at

its sole cost and expense, to maintain and repair, and if necessary to replace, the float; provided, however, that Licensor shall repair or, if necessary, replace the float where the need for such repair or replacement has been caused by any vessel other than the Vessels, or by normal wear and tear.

16. **Parking**. Licensee shall take all reasonable efforts to advise passengers of the Service and employees of the Licensee to avoid on street parking in the City, including, without limitation, providing passengers and their agents with maps and directions to off-street parking facilities in the City and making such maps and directions available at Licensee's office and on any vessels used under this license. Licensee shall also consider in good faith Licensee's participation in programs that call for retailers in Old Town Alexandria to provide financial incentives to their customers to use off street parking facilities.
17. **Utility and Service Costs**. Licensee shall pay the cost of bringing or otherwise making available any utility service to the Vessels or the float, the cost of sub-metering any service providing utilities to the Vessels or the float, and the cost of all utilities, with the exception of water, consumed or utilized by the Vessels or the float. Licensor shall provide Licensee with invoices for monthly utility usage, and Licensee shall pay such invoices or reimburse Licensor for such invoices, as the case may be, within 30 days of receipt.
18. **Cooperation and Noninterference**. Licensee acknowledges that the Berth is located immediately adjacent to Commercial Berth 5, Torpedo Factory North Pier (the "Adjacent Berth"). To facilitate simultaneous use of the Berth and the Adjacent Berth, Licensee agrees that it shall use the Berth, and operate the Service from the City Marina, in a manner which will not unreasonably interfere with the use of the Adjacent Berth by any party granted a license or other permission by Licensor to use such Adjacent Berth. Licensee further agrees to cooperate directly with any such party in Licensee's use of the Berth, and operation of the Service from the City Marina, consistently with the provisions of this paragraph 18. Such cooperation may include, but need not be limited to, coordination of schedules and prior notice of any extended period during with the Berth or Adjacent Berth, as applicable, will not be used. Licensor agrees to include in any agreement which permits the use of the Adjacent Berth provisions similar to those contained in this paragraph 18 in order to ensure that the Adjacent Berth will be used in a manner which will not unreasonably interfere with the use of the Berth and the operation of the Service from the City Marina, by Licensee.
19. **Notices**. All notices, demands, or other communications that may be necessary or proper hereunder shall be deemed duly given if personally delivered upon delivery (or at such times as delivery is not accepted by the intended recipient), when deposited with Federal

Express or other reputable overnight delivery service, when deposited in the United States mail, postage prepaid, first class, registered or certified, return receipt requested, or when sent by facsimile with a confirmation or receipt, addressed respectively as follows:

Licensors: City of Alexandria  
Department of Recreation, Parks and Cultural Activities  
1108 Jefferson Street  
Alexandria, Virginia 22314  
Attention: James Spengler, Director or his successor

with a copy to: The City Attorney  
301 King Street, Suite 1300  
Alexandria, Virginia 22314

Licensee: Potomac Riverboat Company, LLC  
205 The Strand  
Alexandria, Virginia 22314  
Attn: Willem L. Polak, President

Any party hereto may change its address for notice purposes hereunder by delivering written notice thereof to the parties in accordance with the foregoing provisions.

20. **Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia and any claims under this agreement shall be brought only in the federal or state courts of the Commonwealth of Virginia.
21. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties and supersedes any prior understandings and, except as specifically provided herein, any amendment to this agreement is valid only if made in writing signed by the parties to this agreement.

SIGNATURES FOLLOW



IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

CITY OF ALEXANDRIA, a  
municipal corporation of Virginia

Date: \_\_\_\_\_

By: \_\_\_\_\_

Rashad M. Young, City Manager

POTOMAC RIVERBOAT COMPANY, LLC

Date: \_\_\_\_\_

By: \_\_\_\_\_

Willem Polak, President



Legislation Details (With Text)

**File #:** 14-2497 **Name:**

**Type:** **Status:** Agenda Ready

**File created:** 2/26/2014 **In control:** City Council Legislative Meeting

**On agenda:** 3/25/2014 **Final action:**

**Title:** Consideration of a Grant Application to the Virginia Department of Health for the United States Department of Agriculture (USDA) Summer Food Service Program for Children.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** MARCH 19, 2014

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER/s/

**DOCKET TITLE:**  
 Consideration of a Grant Application to the Virginia Department of Health for the United States Department of Agriculture (USDA) Summer Food Service Program for Children.

**ISSUE:** Submission of Grant application for the United States Department of Agriculture (USDA) funding from the Summer Food Service Program for Children now administered through the Virginia Department of Health for Virginia program sponsors.

**RECOMMENDATION:** That City Council authorize staff to:

1. Submit the grant application (due April 25, 2014) to the Virginia Department of Health for United States Department of Agriculture for continued funding and an estimated reimbursement amount of \$112,000 for program expenses;
2. Affirm that there are no funds available in the City budget to continue these activities once the grant

funds are expended; and

3. Execute all necessary documents that may be required.

**BACKGROUND:** The Department of Recreation, Parks and Cultural Activities has administered the Summer Food Service Program since 1979. In order to participate, program sites must meet the criteria established by the National School Lunch and Breakfast Program of USDA. The site must be “located in a geographical area served by a school or center in which 50 percent or more of the enrolled children are eligible for free or reduce priced meals.” Eligible programs will be able to serve up to two of the following meals; breakfast, lunch or snacks at no cost to the participants. The meal program will commence on June 23, 2014, and will operate Monday through Friday, excluding the July 4 holiday and end August 15, 2014.

As with the USDA After School Snack Program, the Department will contract with the Alexandria City Public Schools School Nutrition Services to prepare and deliver meals to 20 summer programs. The locations of these programs are: Charles Houston, Cora Kelly, Mt. Vernon, Nannie J. Lee, Patrick Henry, and William Ramsay Recreation Centers; Power-Up Program at George Washington Middle School; Tancil Court/Ruby Tucker Center, John Adams, James K. Polk, and Maury/MacArthur Playgrounds; Therapeutic Recreation - Teen Scene and Camp Kaleidoscope at Lee Center; Alexandria Olympic Boys and Girls Club; Campagna Kids at three locations; Community Lodgings and Brent Place Apartments.

The Recreation Services Division provides meals to the summer participants in the Power-On and Power-Up and Therapeutic Recreation Out of School Time Programs which operate Monday through Friday from 9am-6pm for seven to eight weeks at neighborhood recreation centers and school facilities throughout the City. The Out of School Time Programs provide recreational activities, enrichment opportunities, field trips, physical fitness and social interaction for 1400 youth ages six to fourteen years. In addition, another 400 youth participate in the program through City youth serving agencies and non-profit organizations under the RPCA sponsorship. The Summer Food Service Program continues the National School Lunch and Breakfast Program to ensure that youth have nutritious meals during the school vacation period. The program provided 2,742 breakfasts, 25,796 lunches, and 34,232 afternoon snacks to youth during the summer of 2013.

**RENEWAL GRANT PERIOD:** October 1, 2013 to September 30, 2014

**FISCAL IMPACT:** The meals must be served free of charge in order to receive reimbursement from USDA. There is no requirement for the City to provide either cash or an in-kind match for this program. However, the City is responsible for the normal administrative costs associated with this grant. These costs include financial and reporting oversight provided by the administering agency (Department of Recreation, Parks and Cultural Activities), as well as by the Office of Management and Budget and by the Finance Department. It should be noted that there are no additional monies available in the City budget to continue these activities once the estimated \$112,000 in program funds has been exhausted. However, as has been the case for decades, it is expected that the federal government will renew this funding in future fiscal years.

**STAFF:**

Debra Collins, Deputy City Manager

James B. Spengler, Director, Recreation, Parks and Cultural Activities

William Chesley, Deputy Director, Recreation, Parks and Cultural Activities

Faye Maslaki, Fiscal Officer, Recreation, Parks and Cultural Activities

Margaret Orlando, Program Supervisor, Recreation, Parks and Cultural Activities

Christopher Bever, Analyst, Office of Management and Budget





## Legislation Details (With Text)

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**File #:** 14-2576                      **Name:** gang task force  
**Type:** Appointment                **Status:** Agenda Ready  
**File created:** 3/19/2014            **In control:** City Council Legislative Meeting  
**On agenda:** 3/25/2014              **Final action:**  
**Title:** Alexandria Gang Prevention Community Task Force  
1 Citizen Member  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-2576 Gang Task Force](#)

Date	Ver.	Action By	Action	Result
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Alexandria Gang Prevention Community Task Force  
1 Citizen Member

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Alexandria Gang Prevention Community Task Force**  
(3-year term)  
1 citizen member

\_\_\_\_\_ Marie Muscella

\_\_\_\_\_ Thomas Walczykowski \*

Mike Mackey, Gang Prevention  
And Intervention Coordinator

\* incumbent



## Legislation Details (With Text)

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**File #:** 14-2577                      **Name:** BFAAC  
**Type:** Appointment                      **Status:** Agenda Ready  
**File created:** 3/19/2014                      **In control:** City Council Legislative Meeting  
**On agenda:** 3/25/2014                      **Final action:**  
**Title:** Budget and Fiscal Affairs Advisory Committee  
1 Citizen Member  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-2577\\_BFAAC.pdf](#)

Date	Ver.	Action By	Action	Result
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Budget and Fiscal Affairs Advisory Committee  
1 Citizen Member

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Budget and Fiscal Affairs Advisory Committee**

(2-year term)

1 citizen member

\_\_\_\_\_ Brent Simer

\_\_\_\_\_ Robert Uyttebroek





elections for the democratic primary.

2. Approve the calendar.

**DISCUSSION:** **Please Note:** The Public Town Hall Meeting which was scheduled for March 17 has been rescheduled for Thursday, April 3 at 6:30 p.m. at Beatley Library.

**ATTACHMENTS:**

Attachment 1: Council Calendar March 2014 - June 2014

**STAFF:**

Jerome Fletcher, Special Assistant to the City Manager

# City Council Schedule

as of 3/20/14

Attachment 1

## March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						<b>1</b>
<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b> <b>Budget Work Session:</b> Revenue, Five Year Financial Planning Model, Compensation Issues
<b>9</b>	<b>10</b> 4 P.M. – Budget Public Hearing, City Council Chambers	<b>11</b> 5:30 P.M. – 30 <sup>th</sup> Anniversary Reception for DASH/ATC, Vola Lawson Lobby  7 P.M. – City Council First Legislative, Meeting, Council Chambers	<b>12</b> <b>Budget Work Session:</b> Livable, Green, and Prospering Focus Area	<b>13</b>	<b>14</b>	<b>15</b> 9:30 A.M. – City Council Public Hearing, Council Chambers
<b>16</b>	<b>17</b>	<b>18</b> <b>Budget Work Session:</b> Healthy and Thriving Focus Area	<b>19</b> 7 P.M. - Joint Worksession w/ ACPS, GWMS ALL Center Room 348	<b>20</b>	<b>21</b>	<b>22</b>
<b>23</b>	<b>24</b>	<b>25</b> 5:30 – Arts in City Hall Reception, Chet & Sabra Avery Conference Room 2000  6:00 P.M. – Annual Stockholders meeting and a DASH work session with the Alexandria Transit, Council Workroom  7 P.M. – City Council Second Legislative, Meeting, Council Chambers	<b>26</b> <b>Budget Work Session:</b> Safe, Secure and Just Focus Area,  2900 Business Center Drive	<b>27</b>	<b>28</b>	<b>29</b>
<b>30</b>	<b>31</b> 6 P.M. – 34 <sup>th</sup> Annual Salute to Women Awards, U.S. Patent and Trade Office					<b>2014</b>

# City Council Schedule

as of 3/20/14

Attachment 1

## April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		<b>1</b>	<b>2</b> Budget Work Session: Accountable, Effective and Well- Managed Gov't Focus Area	<b>3</b> 5:30 P.M. - Public Town Hall Meeting, Beatley Library	<b>4</b>	<b>5</b>
<b>6</b>	<b>7</b>	<b>8</b> 5:30 P.M. – Work session on Waterfront Landscape and Flood Mitigation Design Project, Council Workroom  7 P.M. – City Council First Legislative, Meeting, Council Chambers	<b>9</b> 5:30 P.M. – ANHSI Reception for Mobile Health Van, Patrick Henry Elementary School (4643 Taney Ave.)	<b>10</b> Budget Work Session: CIP (including ACPS Capital)	<b>11</b>	<b>12</b> 9:30 A.M. – City Council Public Hearing, Council Chambers
<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18 Good Friday</b>	<b>19</b>
<b>20 Easter</b>	<b>21</b> 6:30 P.M. – Preliminary Add/Delete, Sister Cities 1101	<b>22</b> 5:30 P.M. – Work session on Discussion of Feasibility & Food Trucks, Council Workroom  7 P.M. – City Council Second Legislative, Meeting, Council Chambers	<b>23</b>	<b>24</b> Budget Work Session: BFAAC and Business Tax Reform Task	<b>25</b>	<b>26</b> 10 A.M. – 2 P.M. – Earth Day, Ben Brenman Park
<b>27</b>	<b>28</b> 6:30 P.M. – Final Add/Delete, Sister Cities 1101	<b>29</b>	<b>30</b>			

## 2014

# City Council Schedule

as of 3/20/14

Attachment 1

## May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				<b>1</b> 7 P.M. – Budget Adoption, Council Chambers	<b>2</b>	<b>3</b>
<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>11</b>	<b>12</b>	<b>13</b> 5:30 P.M. – Work session with the Torpedo Factory Art Center Board, Council Workroom  7 P.M. – City Council First Legislative, Meeting, Council Chambers	<b>14</b>	<b>15</b>	<b>16</b> Spring for Alexandria Community Service Day	<b>17</b> 9:30 A.M. – City Council Public Hearing, Council Chambers
<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>
<b>25</b>	<b>26 HOLIDAY</b> Memorial Day	<b>27</b> 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>

# 2014

# City Council Schedule

as of 3/20/14

Attachment 1

**June**

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b>	<b>10</b> Democratic Primary	<b>11</b> 7 P.M. – City Council First Legislative, Meeting, Council Chambers	<b>12</b>	<b>13</b>	<b>14</b> 9:30 A.M. – City Council Public Hearing, Council Chambers
<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b>	<b>24</b> 5:30 P.M. – ACPD Annual Awards Ceremony, Vola Lawson  7 P.M. – City Council Second Legislative, Meeting, Council Chambers	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>					

**2014**



[RESOLUTION NO. \_\_\_\_]

WHEREAS, the Alexandria City Council has on the date of this resolution recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.